

# **Exhibit 14**

UNITED STATES SOUTHERN DISTRICT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GRAHAM CHASE ROBINSON,

Plaintiff,

-against-

Case No:  
1:19-cv-09156 (LTS) (KHP)

ROBERT DE NIRO and CANAL PRODUCTIONS, INC.,

Defendants.

-----X

DEPOSITION TAKEN VIA ZOOM

April 7, 2022  
9:30 a.m.

VIDEOTAPED DEPOSITION of MICHAEL TASCH, held  
at the above-mentioned time, before, PAIGE HAYDEN, a  
Court Reporter and Notary Public of the State of New  
York.

-----X

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5 BY: JANE JACOBS, ESQ.

6  
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9 BY: ANNIE SLOAN, ESQ.

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TARTER KRINSKY & DROGIN, LLP  
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18 BY: LAURENT DROGIN, ESQ.

19

20 ALSO PRESENT:

21 HARRY BERGENFIELD, VIDEOGRAPHER, MAGNA LEGAL SERVICES

22 KATE MACMULLIN, SANFORD HEISLER SHARP, LLP  
ALEXANDRA HARWIN, SANFORD HEISLER SHARP, LLP  
23 JEREMY HEISLER, SANFORD HEISLER SHARP, LLP  
JEREMY MARGOLIS, SANFORD HEISLER SHARP, LLP  
24

CHASE GRAHAM ROBINSON, PLAINTIFF

25 BRITTANY K. LAZZARO, TARTER KRINSKY & DROGIN LLP

FEDERAL STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties herein, that filing and sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED that all objections, except as to form of the question, shall be reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED that the within deposition may be sworn to and signed before any officer authorized to administer an oath, with the same force and effect as if signed and sworn to before this Court.

1

2           THE VIDEOGRAPHER: We are  
3 now on the record. This  
4 begins video number one in  
5 the deposition of Michael  
6 Tasch, in the matter of  
7 Graham Chase Robinson versus  
8 Robert De Niro and Canal  
9 Productions, Incorporated.

10           Today is Thursday, April  
11 7, 2022. The time is now  
12 9:31 a.m.

13           Counsel and all parties  
14 present will be noted on the  
15 stenographic record.

16           Will the court reporter  
17 please swear in the witness?

18

19

20

21

22

23

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1

2       MICHAEL TASCH, the WITNESS  
3       herein, having been first  
4       duly sworn by a Notary Public  
5       of the State of New York, was  
6       examined and testified as  
7       follows:

8       EXAMINATION BY

9       MS. SLOAN:

10      Q.     State your name for the  
11     record, please.

12      A.     Michael P. Tasch.

13      Q.     State your address for the  
14     record, please.

15      A.     570 Pontiac Road, East  
16     Meadow, New York 11554.

17             MS. SLOAN: We can  
18     announce our appearances on  
19     the record.

20             I am Anne Sloan from  
21     Sanford Heisler Sharp on  
22     behalf the Plaintiff, Graham  
23     Chase Robinson.

24             MR. HEISLER: Jeremy  
25     Heisler of Sanford Heisler

1 M. TASCH

2 Sharp, for the Plaintiff,  
3 Graham Chase Robinson.

4 MS. HARWIN: Alexandra  
5 Harwin from Sanford Heisler  
6 Sharp also on behalf of  
7 Plaintiff, Graham Chase  
8 Robinson.

9 MS. MACMULLIN: I am Kate  
10 Macmullin from Sanford  
11 Heisler Sharp also on behalf  
12 of Plaintiff, Graham Chase  
13 Robinson.

14 MR. MARGOLIS: Jeremy  
15 Margolis from Sanford Heisler  
16 Sharp on behalf of the  
17 Plaintiff, Graham Chase  
18 Robinson.

19 MR. BENNETT: Gregory  
20 Bennett for Defendants,  
21 Traub, Lieberman Straus &  
22 Shrewsberry.

23 MR. DROGIN: Laurent  
24 Drogin, Tarter Krinsky &  
25 Drogin, for Canal Productions

1 M. TASCH

2 Inc.

3 MS. LAZZARO: Brittany

4 Lazzaro from Tarter Krinsky &

5 Drogin, for Canal Productions

6 Inc.

7 MS. JACOBS: Jane Jacobs,

8 Klein Zelman Rothermel Jacobs

9 & Schess on behalf of Mr.

10 Tasch and Berdon, LLP.

11 MS. SLOAN: Okay.

12 Wonderful.

13 Q. Mr. Tasch, thank you for

14 being here today. My name is Annie

15 Sloan. I am going to be questioning

16 you today.

17 Before we begin, I am going

18 to take a few minutes to go over

19 some ground rules for today's

20 deposition just to make sure that we

21 get everything clear on the record

22 and things go smoothly.

23 First of all, I am going to

24 ask you questions, and both my

25 questions and your answers will be



1 M. TASCH

2 recorded by the court reporter.

3 Both of us need to speak clearly so

4 the court reporter can record

5 everything.

6 Do you understand that?

7 A. Yes.

8 Q. And you also must answer

9 verbally because the court reporter

10 cannot record a nod or a shake of

11 the head.

12 Do you understand that?

13 A. Yes.

14 Q. Okay.

15 And please wait until I

16 finish my question before you start

17 answering.

18 If you don't understand my

19 question for any reason, don't

20 answer, and ask for clarification.

21 If you answer the question, however,

22 we will assume that you understood

23 the question.

24 Do you understand that?

25 A. Yes.

1 M. TASCH

2 Q. If you need a break at any  
3 time, and for any reason, tell me,  
4 and we will finish your answer if we  
5 are in the middle of it and then  
6 take break. The only time you can't  
7 take a break is if a question is  
8 pending.

9 Do you understand that?

10 A. Yes.

11 Q. Your attorney will object  
12 from time to time. But unless she  
13 instructs you not to answer, you  
14 should still answer my question.

15 Do you understand that?

16 A. Yes.

17 Q. If you answer a question  
18 and then later on you remember some  
19 additional information or would like  
20 to clarify an earlier answer that  
21 you gave, please tell me that you  
22 would like to add something to an  
23 earlier answer and I will give you  
24 the opportunity to do that.

25 Do you understand that?

1 M. TASCH

2 A. Yes.

3 Q. If I use a term or  
4 abbreviation incorrectly, please  
5 correct my usage so we can make sure  
6 we all have the same understanding  
7 or what the record means.

8 When I refer to Canal, I am  
9 referring to Canal Productions, Inc.

10 If you aren't sure about  
11 what I mean by any term, please let  
12 me know.

13 Is there any instruction I  
14 have provided that you do not  
15 understand or do not agree with?

16 A. No.

17 Q. This testimony is under  
18 oath just as if you were in a court  
19 of law. This testimony may be used  
20 as evidence in this case.

21 Do you understand that?

22 A. Yes.

23 Q. Are you on a computer right  
24 now, is that how you are viewing the  
25 Zoom?

1 M. TASCH

2 A. Yes.

3 Q. Other than the computer  
4 that you are on right now, do you  
5 have any electronic screens or  
6 communication devices with you in  
7 the room that you are in?

8 A. My cell phone is here.

9 Q. Okay.

10 We want to make sure that  
11 all devices are off, and that you  
12 are not using them during the  
13 deposition. It is important that  
14 when you are testifying that you do  
15 not look at any other device and  
16 that you cannot use your phone to  
17 communicate during the deposition.  
18 Is your phone off right now?

19 A. It is not and I am not  
20 turning it off.

21 Q. Would you please turn it on  
22 silent and keep it away from you and  
23 not communicate on it during the  
24 deposition?

25 A. I can't keep it on silent.

1 M. TASCH

2 My mom is not feeling well, and if I  
3 get a call from her, I have to take  
4 it.

5 Q. Okay.

6 Do you agree not to  
7 communicate using the phone during  
8 the deposition?

9 A. Yes. It is over to the  
10 side there, so it is really away  
11 from me. That is the only concern I  
12 have.

13 Q. Okay.

14 Is there anyone in the room  
15 with you today?

16 MS. JACOBS: I'm sorry.  
17 I had to unmute. If he wants  
18 to confer with me, he has the  
19 right to do that during the  
20 deposition.

21 MS. SLOAN: He can -- on  
22 a break. Are you talking  
23 about on a break?

24 MS. JACOBS: Yes.

25 MS. SLOAN: Yes.

1 M. TASCH

2 Q. Okay.

3 Is there anyone in the room  
4 with you today?

5 A. No.

6 Q. And do you understand that  
7 you are obligated to provide  
8 testimony that is truthful and  
9 complete?

10 A. Yes.

11 Q. Do you understand that you  
12 must provide testimony that is  
13 truthful and complete even if it  
14 might be hurtful to Mr. De Niro?

15 A. Yes.

16 Q. Do you understand that you  
17 must provide testimony that is  
18 truthful and complete even if it  
19 might be hurtful to Canal?

20 A. Yes.

21 Q. And do you understand that  
22 you must provide testimony that is  
23 truthful and complete even if it  
24 might be hurtful to yourself?

25 A. Yes.

1 M. TASCH

2 Q. Okay.

3 What is your full name?

4 A. Michael P. Tasch.

5 Q. Do you have -- is your

6 middle name P or is that a middle

7 initial?

8 A. It is a middle initial.

9 Q. What is your middle name?

10 A. Philip.

11 Q. Have you gone by any other

12 name?

13 A. No.

14 Q. What is your date of birth?

15 A. 11/14/54.

16 Q. And what is your home

17 address?

18 A. [REDACTED]

[REDACTED]

20 Q. And how long have you

21 resided at that address?

22 A. Since -- about 36 years.

23 Q. Does anyone live with you?

24 A. Yes, my wife.

25 Q. Okay.

1 M. TASCH

2 And what is your wife's  
3 name?

4 THE WITNESS: Jane, do I  
5 have to provide that  
6 information?

7 MS. SLOAN: It looks like  
8 you are muted.

9 MS. JACOBS: Yes. Please  
10 answer, Michael.

11 A. Judy Tasch.

12 Q. And how long have you been  
13 married to Ms. Judy Tasch?

14 A. 40 years.

15 Q. Do you suffer from any  
16 condition that affects your memory?

17 A. Not that I know of.

18 Q. Have you consumed any  
19 substances that affect your memory  
20 or ability to communicate today?

21 A. No.

22 Q. Is there any reason,  
23 physically or mentally, that you are  
24 not able to testify today truthfully  
25 and completely?



1 M. TASCH

2 A. No.

3 Q. Have you ever been  
4 convicted of a criminal offense?

5 A. No.

6 Q. Have you ever been charged  
7 or arrested in connection with a  
8 criminal offense?

9 A. No.

10 Q. Have you ever been subject  
11 to discipline as an accountant?

12 A. No.

13 Q. Have you ever been accused  
14 of making any false statement?

15 A. No.

16 Q. Other than this case, have  
17 you ever been involved in any other  
18 lawsuit or any other judicial,  
19 arbitral, or administrative  
20 proceeding as a party or as a  
21 witness?

22 A. Yes.

23 Q. Were you a party? Are you  
24 thinking of an instance when you  
25 were a party?

1 M. TASCH

2 A. My firm was a party.

3 Q. Okay.

4 And was -- was this a -- a  
5 lawsuit?

6 A. Yes.

7 Q. Okay.

8 Was this a judicial  
9 proceeding?

10 A. Yes.

11 Q. Okay.

12 What was the nature of that  
13 judicial proceeding?

14 A. The nature was we had a  
15 client that was involved in Madoff,  
16 and [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

22 Q. What were the names of the  
23 parties involved in the lawsuit?

24 A. The client's name was

25 [REDACTED]

1 M. TASCH

2 Q. Okay.

3 How was that case resolved?

4 A. Well, it went away, but I  
5 am not positive how it was resolved.

6 Q. And when was that case?

7 A. I am not totally sure. So  
8 if you want an educated guess I will  
9 give you one, but it was many years  
10 ago.

11 Q. I am not asking you to  
12 guess today, but do you think it was  
13 more than ten years?

14 A. Around that time.

15 Q. Okay.

16 Around a decade ago?

17 A. Yes.

18 Q. And where was the case  
19 filed?

20 A. It was filed -- you know  
21 what? I am not -- I am not totally  
22 positive. I know -- listen, I  
23 testified in Florida, so obviously  
24 part of it was in Florida. I just  
25 don't remember if it was also in New

1 M. TASCH

2 York.

3 Q. So you provided testimony  
4 in that case?

5 A. I did.

6 Q. Did you testify at a  
7 deposition?

8 A. I did.

9 Q. And did you also testify at  
10 a trial?

11 A. I did.

12 Q. Okay.

13 Were you accused of any  
14 wrongdoings in the case?

15 A. No.

16 Q. Other than that case, have  
17 you been a witness or a party in any  
18 lawsuit or judicial, arbitral, or  
19 administrative proceeding?

20 A. No.

21 Q. Okay.

22 And just to circle back  
23 really quick, what was your  
24 involvement in the case that you  
25 were --

1 M. TASCH

2 A. I'm sorry?

3 Q. In the case that we were  
4 just discussing, from over a decade  
5 ago, in which you testified at a  
6 deposition and trial, what was your  
7 involvement in that case?

8 A. I'm not sure I understand  
9 the question.

10 Q. So you provided testimony  
11 at a deposition and at trial,  
12 correct?

13 A. Correct.

14 Q. Okay.

15 Why did you testify?

16 A. I was one of the  
17 accountants on the account.

18 Q. Okay.

19 So other than the testimony  
20 that you provided at a deposition  
21 and at a trial in the case that we  
22 just discussed, have you testified  
23 under oath before?

24 A. No.

25 Q. Have you ever provided a

1 M. TASCH

2 statement, declaration or affidavit  
3 relating to any lawsuit or any other  
4 judicial, arbitral, or  
5 administrative proceeding?

6 A. Not that I can recall.

7 Q. Have you ever provided any  
8 testimony or any sworn statement in  
9 a case involving Canal Productions?

10 A. I'm sorry. Repeat the  
11 question, please?

12 Q. Have you ever provided any  
13 testimony or any sworn statement in  
14 a case involving Canal Productions?

15 A. No.

16 Q. Have you ever provided any  
17 testimony or any statements in a  
18 case involving Robert De Niro?

19 A. No.

20 Q. Have you provided any  
21 statement, declaration, or affidavit  
22 relating to the lawsuit brought by  
23 Chase Robinson?

24 A. Repeat the question,  
25 please?

1 M. TASCH

2 Q. Have you provided any  
3 statement, declaration, or affidavit  
4 relating to the lawsuit brought by  
5 Chase Robinson?

6 A. I don't understand the  
7 question.

8 Q. Okay.  
9 You understand that Chase  
10 Robinson filed a lawsuit against  
11 Canal Productions and Mr. De Niro,  
12 correct?

13 A. Yes.

14 Q. Have you provided any  
15 statement, declaration, or affidavit  
16 relating to that lawsuit?

17 A. I still don't understand  
18 the question.

19 MS. JACOBS: I am going  
20 to object to the form with  
21 respect to the word  
22 statement.

23 MR. DROGIN: Same  
24 objection from Canal.

25 Q. Any --

1 M. TASCH

2 MR. DROGIN: I was muted.

3 Sorry.

4 MS. SLOAN: Okay.

5 Q. Have you provided any  
6 written --

7 MR. DROGIN: We are  
8 thinking alike because I was  
9 muted, and I was going to do  
10 the same objection to the  
11 form since you asked it and  
12 the witness still doesn't  
13 understand it.

14 MS. SLOAN: Noted, Mr.  
15 Drogin. Thank you.

16 MR. DROGIN: You are  
17 welcome.

18 Q. Have you provided any  
19 witness statement, declaration, or  
20 affidavit related to the lawsuit  
21 brought by Ms. Robinson?

22 MS. JACOBS: Same  
23 objection.

24 MR. DROGIN: If you break  
25 it down into three different



1 M. TASCH

2 pieces and define what you  
3 mean by statement, you will  
4 probably get three answers to  
5 the compound question.

6 Q. Mr. Tasch, have you  
7 provided any written statement in  
8 the lawsuit -- relating to the  
9 lawsuit brought by Chase Robinson?

10 MR. DROGIN: Objection to  
11 the form.

12 MS. JACOBS: Join.

13 Q. You should still answer  
14 when your attorney objects, please?

15 A. I don't understand the  
16 question.

17 Q. Have you ever been provided  
18 any written statement relating to  
19 the lawsuit brought by Chase  
20 Robinson?

21 MR. DROGIN: Objection to  
22 the form.

23 MS. JACOBS: Same  
24 objection.

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form and asked and

3 answered.

4 A. I don't understand the

5 question.

6 MR. DROGIN: By the way,

7 can we agree you will provide

8 the witness with a copy of

9 the transcript so he can

10 review and sign it?

11 MS. SLOAN: Yes.

12 MR. DROGIN: Also, since

13 he is appearing as a fact

14 witness and as 30(b)(6)

15 witness, can you please

16 clarify which questions are

17 intended for 30(b)(6)?

18 MS. SLOAN: I am about to

19 get to that, Mr. Drogin.

20 Thank you.

21 MR. DROGIN: That is if

22 you will ever get over hurdle

23 or --

24 MS. SLOAN: I am going to

25 move on. I am going to move

1 M. TASCH

2 on. Alright?

3 MR. DROGIN: Okay.

4 Q. Mr. Tasch, do you have a  
5 lawyer representing you in this  
6 proceeding today?

7 A. I do.

8 Q. Okay.

9 Is that Jane Jacobs from  
10 Klein Zelman?

11 A. It is.

12 Q. Okay.

13 When did you first come to  
14 be represented by the firm Klein  
15 Zelman?

16 A. Within the last month or  
17 two.

18 Q. Okay.

19 Do you recall an exact  
20 date?

21 A. Do not.

22 Q. And Mr. Tasch, you  
23 understand that you have been called  
24 today to be a fact witness at this  
25 deposition, correct?

1 M. TASCH

2 A. Correct.

3 Q. And Mr. Tasch, we are going  
4 to share a document in the chat that  
5 was previously marked as Plaintiff's  
6 Exhibit 47. So let me know and  
7 hopefully you will be able to see a  
8 PDF document appear in the chat.  
9 And are you able to open that  
10 document?

11 A. Do I have to --

12 MR. DROGIN: Can I just  
13 ask, while the witness is  
14 opening it, can you give us a  
15 time of how long we have been  
16 on the record?

17 THE VIDEOGRAPHER: This  
18 is the videographer. I can't  
19 give you an exact time right  
20 now because unlike a camera  
21 the Zoom doesn't have a  
22 counter, but when we go off  
23 the record I can give you a  
24 number.

25 MR. DROGIN: A number up

1 M. TASCH

2 to this point?

3 THE VIDEOGRAPHER: Yes.

4 Q. Mr. Tasch, are you able to  
5 see the PDF?

6 MS. JACOBS: I am not.

7 A. When I open it, it has a  
8 bunch of files in there.

9 MS. JACOBS: I am getting  
10 a file called System 32 and a  
11 bunch of folders and what  
12 appears to be some --

13 MS. SLOAN: That is not  
14 what you should be seeing.  
15 So can we go off the record  
16 so we can make sure that  
17 everyone can see the correct  
18 exhibit?

19 MR. DROGIN: And can we  
20 also get the running time  
21 when we come back on so we  
22 can --

23 THE VIDEOGRAPHER: The  
24 time is 9:49 a.m. We are  
25 going off the record.

1 M. TASCH

2 (Whereupon, a recess was  
3 taken at this time.)

4 THE VIDEOGRAPHER: The  
5 time is 9:52 a.m. We are  
6 back on the record.

7 Q. Okay. Great. Okay.

8 So can you see on the  
9 screen --

10 MS. SLOAN: Jeremy, can  
11 you scroll down a little bit  
12 just so we can see the title  
13 of the document?

14 Q. Do you see the Second  
15 Amended Notice of Deposition, Mr.  
16 Tasch?

17 A. Where am I looking?

18 Q. Do you see on your screen a  
19 document that is entitled,  
20 "Plaintiff's Second Amended Notice  
21 of Deposition?"

22 A. I do. Yes, I do.

23 Q. Do you recognize this  
24 document?

25 A. I do not.

1 M. TASCH

2 Q. Okay.

3 MS. SLOAN: And just for  
4 the record, this is a  
5 document that is previously  
6 marked as Plaintiff's Exhibit  
7 47.

8 Q. Mr. Tasch, do you  
9 understand that in addition to your  
10 testimony as a fact witness, Canal  
11 has designated you as a 30(b)(6)  
12 witness?

13 MS. JACOBS: I am going  
14 to objection to the form, but  
15 answer it if you can.

16 A. Sorry, what is the  
17 question?

18 Q. Let me repeat it for you.

19 Do you understand Canal has  
20 designated you as a 30(b)(6)  
21 witness?

22 A. Yes.

23 Q. To satisfy rules of the  
24 30(b)(6), you understand that you  
25 must give complete, knowledgeable,

1 M. TASCH

2 and binding answers on Canal's  
3 behalf, correct?

4 A. Yes.

5 Q. As a Rule 30(b)(6) witness,  
6 you have an obligation to prepare to  
7 provide official testimony on behalf  
8 of Robert De Niro's company, Canal  
9 Productions, Inc., correct?

10 A. Yes.

11 Q. Okay.

12 MS. SLOAN: Can you  
13 please scroll down?

14 Q. Have you ever read this  
15 document before?

16 A. (No verbal response.)

17 Q. Mr. Tasch, now that I have  
18 scrolled down a bit, do you  
19 recognize this document?

20 A. I recognize one and two.

21 Q. Okay.

22 So -- and you are Canal's  
23 official witness, correct?

24 THE VIDEOGRAPHER: The  
25 time is 9:55 a.m. We are off



1 M. TASCH

2 the record.

3 (Whereupon, a recess was  
4 taken at this time.)

5 THE VIDEOGRAPHER: The  
6 time is 9:55 a.m. We are  
7 back on the record.

8 Q. Mr. Tasch, you are Canal's  
9 official witness on Topics 1 and 2,  
10 correct?

11 A. Yes.

12 Q. Okay.

13 Tell me everything that you  
14 did to prepare to testify for your  
15 deposition today with respect to the  
16 following topic, "Canal's policies,  
17 procedures, and protocols concerns  
18 discrimination, harassment,  
19 retaliation and employee  
20 investigation, employee  
21 compensation, perquisites, and  
22 benefits, and employee expenses and  
23 reimbursements, including use of the  
24 Canal's American Express card, petty  
25 cash, and expenses that Canal paid

1 M. TASCH

2 for employees?"

3 A. I had spoken to my  
4 attorneys over the last two days to  
5 go over topics that might be asked  
6 at this deposition.

7 Q. Okay.

8 And who did you speak with?

9 A. Laurent Drogin, Tom Harvey,  
10 Greg Bennett, Jane Jacobs, and  
11 Brittany Lazzaro, if I am  
12 pronouncing her name correctly.

13 Q. And how many hours did you  
14 spend with your attorneys discussing  
15 this topic?

16 A. Approximately four.

17 Q. Okay.

18 And when did you speak with  
19 these attorneys?

20 A. Some on Tuesday and some on  
21 Wednesday of this week.

22 Q. Okay.

23 So prior to Tuesday of this  
24 week, you hadn't spoken with your  
25 attorneys about this topic?

1 M. TASCH

2 A. I don't recall.

3 MR. DROGIN: Objection to  
4 the form.

5 Q. Were there any -- were  
6 there any non-attorneys present in  
7 that meeting or in those meetings?

8 A. I believe not.

9 Q. Okay.

10 And was Jane Jacobs present  
11 in all of those conversations?

12 A. Yes.

13 Q. Okay.

14 Tell me everything that you  
15 did to prepare to testify for the  
16 deposition today with respect to the  
17 following topic, "Any investigation  
18 concerning Plaintiff undertaken by  
19 Canal, or anyone acting on its  
20 behalf, including any investigation  
21 serving as the basis for Canal's  
22 State Court lawsuit against  
23 Plaintiff or Canal's counterclaims  
24 in this lawsuit?"

25 A. I don't understand the

1 M. TASCH

2 question.

3 Q. It is the same question  
4 that I asked previously. It is just  
5 about this topic. Tell me  
6 everything that you did to prepare  
7 to testify for your deposition today  
8 with respect to Topic Number 2?

9 A. That is not the same  
10 question you just asked a minute  
11 ago.

12 Q. Well, let's focus on this  
13 question then.

14 MR. DROGIN: Are you just  
15 trying to say -- are you just  
16 trying to say with regard to  
17 Paragraph 2, would your  
18 answers be the same to the  
19 questions I just asked about  
20 Paragraph 1?

21 Q. Mr. Tasch, tell me  
22 everything that you did to prepare  
23 to testify for your deposition today  
24 with respect to Topic 2?

25 A. Paragraph 2, is that what

1 M. TASCH

2 you are suggesting?

3 Q. Yes.

4 A. I spoke to my attorneys  
5 over the last two days for  
6 approximately four hours.

7 Q. Okay. Thank you.

8 Did you interview anyone in  
9 order to prepare to testify today on  
10 behalf of Canal?

11 A. No.

12 Q. And Tom Harvey is not your  
13 attorney, correct?

14 A. Correct.

15 Q. And Laurent Drogin is not  
16 your attorney, correct?

17 A. Correct.

18 Q. Greg Bennett is not your  
19 attorney, correct?

20 A. Correct.

21 Q. Brittany Lazaro is not your  
22 attorney, correct?

23 A. Correct.

24 Q. What documents, if any, did  
25 you review in order to prepare to

1 M. TASCH

2 testify at today's deposition?

3 A. They showed me one or two  
4 e-mails and an audio recording.

5 Q. Who showed you one or two  
6 e-mails?

7 A. I just don't recall which  
8 attorney it was.

9 Q. Okay.  
10 What e-mails were you  
11 shown?

12 A. One e-mail on policies and  
13 procedures, and an e-mail when we  
14 were trying to get Chase on as  
15 co-manager of the AMEX account.

16 Q. And when you refer to  
17 policies and procedures, what  
18 policies and procedures are you  
19 referring to?

20 A. I'm not sure because it was  
21 an e-mail that Chase made up about  
22 the policies and procedures.

23 Q. About what policies and  
24 procedures in particular, do you  
25 remember?

1 M. TASCH

2 A. No, it was policy -- all I  
3 know it was policies and procedures  
4 for Canal.

5 Q. Okay.

6 And do you remember the  
7 approximate date of either of those  
8 e-mails?

9 A. The approximate date of the  
10 policies and procedures I believe  
11 was in '15, and the AMEX was early  
12 '18, I believe.

13 Q. So sometime in 2015?

14 A. Yes.

15 Q. Okay.

16 And then what audio  
17 recording was played for you?

18 A. A recording of Chase taping  
19 me, unbeknown to me, talking about  
20 the problem she was having with  
21 Tiffany, and the mold problem that  
22 was going on.

23 Q. Okay.

24 And besides that audio  
25 recording and those two e-mails, did

1 M. TASCH

2 you review any other documents in  
3 order to prepare to testify at  
4 today's deposition?

5 A. Not that I recall.

6 Q. Did you review any  
7 deposition transcripts from previous  
8 depositions in this case?

9 A. No.

10 Q. Did you review any  
11 pleadings in this case?

12 A. No.

13 Q. Did you bring any documents  
14 with you today relating to the case,  
15 or do you have any with you --

16 A. I do not.

17 Q. Did you review any  
18 documents compiled as part of the  
19 investigation into Ms. Robinson?

20 A. I don't understand the  
21 question.

22 MR. DROGIN: Objection to  
23 the form.

24 MS. JACOBS: Join.

25 Q. Did you review any



1 M. TASCH  
2 documents that were compiled by  
3 anyone associated with Canal in  
4 connection to the investigation with  
5 -- into Ms. Robinson?

6 MR. DROGIN: Objection to  
7 the form.

8 MS. JACOBS: Join.

9 MS. SLOAN: Let me try  
10 again. Also please, Mr.  
11 Drogin, if you can wait until  
12 I finish asking the question  
13 to object. Thank you.

14 Q. Did you review any  
15 documents from the investigation  
16 into Ms. Robinson prior to your  
17 deposition today?

18 MR. DROGIN: Objection to  
19 the form.

20 MS. JACOBS: Join.

21 MR. DROGIN: Are you  
22 asking to prepare for the  
23 deposition?

24 Q. To prepare for today's  
25 deposition, did you review any

1 M. TASCH

2 documents related to the  
3 investigation into Ms. Robinson?

4 A. I don't understand the  
5 question.

6 Q. To prepare for today's  
7 deposition, did you review any  
8 documents, at all, that related to  
9 Canal's investigation into Ms.  
10 Robinson?

11 A. I don't understand the  
12 question.

13 Q. Other than what you have  
14 already described, was there  
15 anything else that you did to  
16 prepare to testify today, either as  
17 a fact witness or a 30(b)(6)  
18 witness?

19 A. No.

20 Q. Have you spoken with anyone  
21 else regarding your deposition  
22 besides the attorneys that you  
23 mentioned previously?

24 A. No.

25 Q. Have you spoken with Mr. De

1 M. TASCH

2 Niro about this deposition?

3 A. Absolutely not.

4 Q. Have you spoken with anyone  
5 else from Berdon about that  
6 deposition?

7 A. I'm not sure I understand  
8 the question.

9 Q. What part of the question  
10 don't you understand?

11 A. I don't understand the  
12 question.

13 Q. Have you spoken with any  
14 other employee at your accounting  
15 firm, Berdon, about this deposition?

16 A. Still don't understand.

17 Q. Have you spoken with anyone  
18 that works with Berdon, LLP, about  
19 your deposition today?

20 A. Still don't understand the  
21 question.

22 Q. What part don't you  
23 understand?

24 A. I don't understand the  
25 question.

1 M. TASCH

2 Q. Have you spoken with any  
3 Canal employees about this  
4 deposition?

5 A. No.

6 Q. What part of the question  
7 is unclear when I ask about anyone  
8 that works at Berdon?

9 A. I don't understand the  
10 question.

11 Q. I understand that, sir. I  
12 am just trying to help you --

13 A. You can't help me. You  
14 have to ask the correct question.

15 Q. I would like to. I would  
16 like to understand what part you  
17 don't understand of the question.

18 A. I don't understand the  
19 question.

20 Q. Please tell me what part of  
21 the question is unclear?

22 A. I don't understand the  
23 whole question.

24 Q. I have asked you that  
25 question in relation to Mr. De Niro

1 M. TASCH

2 and Canal employees. So I am just  
3 trying to figure out what part is  
4 unclear when I ask it in relation to  
5 Berdon, LLP?

6 A. Same.

7 Q. To keep things straight on  
8 the record, I will begin my  
9 questions -- I will begin by  
10 questioning in your capacity as a  
11 fact witness. Later, I will make  
12 clear on the record when I begin  
13 questioning you as a 30(b)(6)  
14 witness on behalf of Canal.

15 Do you understand that your  
16 testimony during this beginning  
17 portion of the deposition will be  
18 given in your capacity as a fact  
19 witness?

20 A. Yes.

21 Q. Okay.

22 Please describe your  
23 educational history?

24 A. I went to college for  
25 accounting, graduated in four years,

1 M. TASCH  
2 went to work for a CPA firm where I  
3 worked on and off over 40 years. I  
4 obtained my CPA certificate while  
5 working in the field, and I am a  
6 member of the AICPA and New York  
7 State Society of CPAs.

8 Q. When did you graduate from  
9 college?

10 A. 1976.

11 Q. And what college did you  
12 graduate from?

13 A. CW Post.

14 Q. And you said that you  
15 received a degree in accounting?

16 A. Yes.

17 Q. Do you have any  
18 post-college higher education?

19 A. I do not.

20 Q. And when were you certified  
21 as a CPA?

22 A. I think somewhere around  
23 1986.

24 Q. Do you have any  
25 certifications or training as a

1 M. TASCH

2 forensic accountant?

3 A. Please repeat the question?

4 Q. Do you have any  
5 certifications or training as a  
6 forensic accountant?

7 A. No.

8 Q. Do you hold an active CPA  
9 license?

10 A. Yes.

11 Q. Do you complete any  
12 continuing education to maintain  
13 your active CPA license?

14 A. I do.

15 Q. Are you a certified tax  
16 return preparer?

17 A. I don't even know what that  
18 means.

19 Q. Who is your current  
20 employer?

21 A. Berdon, LLP.

22 Q. What is your title at  
23 Berdon?

24 A. Partner.

25 Q. How long have you been

1 M. TASCH

2 employed by Berdon?

3 A. Since 1996.

4 Q. And have you worked  
5 continuously for Berdon from 1996 to  
6 the present?

7 A. Yes.

8 Q. What type of company is  
9 Berdon?

10 A. Berdon is a public  
11 accounting firm.

12 Q. Okay.

13 Mr. De Niro is a client of  
14 Berdon, correct?

15 A. I'm sorry. I missed the  
16 end of your question.

17 Q. Let me strike that.  
18 What type of services does  
19 Berdon provide?

20 A. Berdon provides an array of  
21 services.

22 Q. And what types of services  
23 does Berdon provide?

24 A. We provide tax services,  
25 accounting services, consulting



1 M. TASCH

2 services.

3 Q. Okay.

4 What type of services do  
5 you provide for Berdon?

6 A. Accounting and tax  
7 services.

8 Q. Mr. De Niro is a client of  
9 Berdon, correct?

10 A. You broke up a little bit  
11 there.

12 Q. Mr. De Niro is a client of  
13 Berdon, correct?

14 A. That is correct. That is  
15 correct. Yes.

16 Q. Does Berdon have an  
17 engagement or retainer agreement  
18 with Mr. De Niro?

19 A. We do.

20 Q. And does -- does that  
21 agreement lay out the scope of  
22 services that Berdon performs for  
23 Mr. De Niro?

24 A. Yes.

25 MR. DROGIN: Objection.

1 M. TASCH

2 Q. And what -- and when was  
3 that agreement entered into?

4 A. December 2008.

5 Q. December 2008?

6 A. Yes.

7 Q. Is that when Mr. De Niro  
8 became a client of Berdon?

9 A. Yes.

10 Q. Okay.

11 And what -- what does that  
12 agreement say as to the scope of  
13 services that Berdon will perform  
14 for Mr. De Niro?

15 MR. DROGIN: Objection.

16 Are you deposing Berdon here  
17 or this witness?

18 Q. Mr. Tasch, you should  
19 answer the question.

20 THE WITNESS: Jane?

21 MS. JACOBS: Can you  
22 repeat the question, please?

23 (Whereupon, the requested  
24 portion was read back by the  
25 reporter:

1 M. TASCH

2 Q: And what -- what does  
3 that agreement say as to the  
4 scope of services that Berdon  
5 will perform for Mr. De  
6 Niro?)

7 MS. JACOBS: Answer it if  
8 you can, Michael.

9 MR. DROGIN: I want to  
10 note an objection for the  
11 record that the witness in  
12 his individual capacity is  
13 being asked the contents of  
14 the document signed 13 years  
15 ago that he has not testified  
16 he has ever seen.

17 MS. SLOAN: Thank you,  
18 Mr. Drogin.

19 Q. Please answer the question,  
20 Mr. Tasch?

21 A. The agreement stated we  
22 would provide tax services, bill  
23 paying services, and consulting  
24 services.

25 Q. Okay.

1 M. TASCH

2 Describe for me all of the  
3 services that Berdon has performed  
4 for Mr. De Niro over the past  
5 decade?

6 MR. DROGIN: Objection.

7 You can -- you can -- you can  
8 answer if you have personal  
9 knowledge of every single  
10 service that Berdon has  
11 provided.

12 A. The services provided were  
13 just as I just said a minute ago.  
14 We provide consulting services, tax  
15 services, and bill paying services  
16 to Mr. De Niro.

17 Q. And what type of consulting  
18 services do you provide to Mr. De  
19 Niro?

20 A. It could be on a -- some  
21 estate planning we do for him,  
22 personal income tax planning, we  
23 talk about investments from time to  
24 time.

25 Q. Does Berdon prepare tax

1 M. TASCH

2 returns for Mr. De Niro?

3 A. We do.

4 Q. Does Berdon manage accounts  
5 owned by Mr. De Niro?

6 MS. JACOBS: I couldn't  
7 hear the question.

8 A. I don't understand the  
9 question.

10 Q. Does Berdon manage accounts  
11 owned by Mr. De Niro?

12 A. I don't understand the  
13 question.

14 Q. Does Berdon manage any bank  
15 accounts owned by Mr. De Niro?

16 A. We do.

17 MS. JACOBS: Objection to  
18 the form.

19 Q. Sorry, Mr. Tasch, did you  
20 answer that question? You were  
21 talking at the same time as your  
22 attorney.

23 THE WITNESS: Jane?

24 MS. JACOBS: You can  
25 answer.

1 M. TASCH

2 A. I'm sorry. Repeat the  
3 question, please?

4 Q. Does Berdon manage any bank  
5 accounts owned by Mr. De Niro?

6 A. I don't understand the  
7 question.

8 Q. Does Berdon manage any of  
9 Mr. De Niro's bank accounts?

10 A. That is the question that  
11 you just asked which I don't  
12 understand the question.

13 Q. I did rephrase the  
14 question, Mr. Tasch.

15 A. It is the same question.

16 Q. Okay.

17 Does Berdon monitor any of  
18 Mr. De Niro's accounts?

19 A. Yes.

20 Q. What types of accounts does  
21 Berdon monitor?

22 A. Bank accounts.

23 Q. Does Berdon manage those  
24 bank accounts?

25 A. I don't understand the

1 M. TASCH

2 question.

3 MS. JACOBS: I am going  
4 to delayed object to the  
5 form.

6 Q. Does Berdon monitor any of  
7 Mr. De Niro's other accounts?

8 MS. JACOBS: Objection to  
9 the form.

10 Q. Mr. Tasch, you understand  
11 that when your attorney objects to  
12 the form, you should still answer  
13 the question.

14 A. I don't understand the  
15 question.

16 Q. Okay.

17 If you don't understand the  
18 question, that is fine, just please  
19 let me know verbally. Thank you.

20 Other than bank accounts,  
21 does Berdon monitor any other  
22 accounts for Mr. De Niro?

23 A. No.

24 Q. Does Berdon pay bills for  
25 Mr. De Niro?

1 M. TASCH

2 A. Yes.

3 Q. What type of bills does  
4 Berdon pay for Mr. De Niro?

5 A. Pay personal bills,  
6 business bills.

7 Q. Berdon provides financial  
8 advising for Mr. De Niro, correct?

9 A. I'm sorry. I couldn't hear  
10 the end of the question. I'm sorry.

11 Q. Let me rephrase it.

12 Does Berdon provide  
13 financial advising for Mr. De Niro?

14 A. I'm not sure what that  
15 questions means.

16 Q. You testified that --

17 (Technical interference)

18 You testified that Berdon  
19 provides consulting services for Mr.  
20 De Niro, correct?

21 A. Yes.

22 Q. So does Berdon provide  
23 financial consulting and advising  
24 for Mr. De Niro?

25 A. Still not sure what the



1 M. TASCH

2 question means.

3 Q. On what subjects does  
4 Berdon provide advising for Mr. De  
5 Niro?

6 A. Estate planning, tax  
7 planning.

8 (Whereupon, a discussion  
9 was held off the record.)

10 MS. SLOAN: Can you read  
11 back Mr. Tasch's answer?

12 (Whereupon, the requested  
13 portion was read back by the  
14 reporter:

15 A: Estate planning, tax  
16 planning.)

17 Q. Have there been any  
18 material changes in the last decade  
19 as to the services that Berdon  
20 performs for Mr. De Niro?

21 A. There has been a slight  
22 change, yes.

23 Q. And what change -- when did  
24 that change occur?

25 A. I'm not sure.

1 M. TASCH

2 Q. Did it occur within the  
3 last -- did it occur since 2019?

4 A. No.

5 Q. Did it occur since 2015?

6 A. You know what? I am just  
7 not sure of the date.

8 Q. Okay.

9 And what change occurred?

10 A. We -- it got more work from  
11 Mr. De Niro.

12 Q. You testified that you --  
13 you are saying that you got more  
14 work from Mr. De Niro?

15 A. More work, yes.

16 Q. And did that occur within  
17 the last decade?

18 A. Yes.

19 Q. Do you have an  
20 understanding of why that change  
21 occurred?

22 A. I'm sorry?

23 Q. Do you have an  
24 understanding of why that change  
25 occurred?

1 M. TASCH

2 A. I don't understand the  
3 question.

4 Q. What additional work did  
5 you receive from Mr. De Niro?

6 A. We got some audit work and  
7 tax work.

8 Q. Canal Productions is a  
9 client of Berdon, correct?

10 A. Yes.

11 Q. Does Berdon have an  
12 engagement or retainer agreement  
13 with Canal?

14 A. Yes.

15 Q. And does that agreement lay  
16 out the scope of services that  
17 Berdon provides for Canal?

18 A. Yes.

19 Q. And when was that agreement  
20 entered into?

21 A. The first one was entered  
22 into also in '08.

23 Q. Okay.

24 And was there an -- a  
25 subsequent agreement entered into

1 M. TASCH

2 after '08?

3 A. Same agreement.

4 Q. Okay.

5 You said that the first one  
6 was entered into -- in 2008. Was  
7 there a second agreement entered  
8 into?

9 A. The one that you just asked  
10 about for Canal.

11 Q. Okay.

12 So for Canal Productions --  
13 there was one agreement entered into  
14 between Berdon and Canal, in  
15 December of 2008, correct?

16 A. Yes. Yes.

17 Q. And what -- what did that  
18 agreement -- agreement lay out as to  
19 the scope of services that Berdon  
20 would perform for Canal?

21 MR. DROGIN: Objection to  
22 the form.

23 MS. JACOBS: Join. You  
24 can answer.

25 A. Okay. I think we discussed

1 M. TASCH

2 this already. It was the same thing  
3 that I answered before about bill  
4 paying, tax returns.

5 Q. So -- sorry to interrupt.

6 So is the agreement that  
7 was entered into with Canal the  
8 exact same agreement that was  
9 entered into with Mr. De Niro?

10 A. Yes.

11 Q. Okay.

12 What is Canal Productions?

13 A. It is a loan out for his  
14 services.

15 Q. For Mr. De Niro's services?

16 A. Yes.

17 Q. And what has Mr. De Niro's  
18 role at Canal Productions been?

19 A. I'm not sure I understand  
20 the question.

21 Q. What is Mr. De Niro's role  
22 at Canal Productions?

23 A. Mr. De Niro is the  
24 president of the company.

25 Q. Okay.

1 M. TASCH

2 Canal's lawyers have  
3 described Berdon as essentially  
4 serving as Mr. De Niro's and Canal's  
5 chief financial officer.

6 Is that description  
7 accurate?

8 A. No, it is not.

9 Q. How would you describe  
10 Berdon's role?

11 A. We are Mr. De Niro's and  
12 Canal's accountants.

13 Q. Okay.

14 And Mr. De Niro is the  
15 owner of the Canal Productions,  
16 correct?

17 A. Correct.

18 Q. Describe for me all of the  
19 services that Berdon has performed  
20 for Canal over the past decade?

21 MR. DROGIN: Objection to  
22 the form. You can answer.

23 A. I am saying same services  
24 we discussed; tax return prep, bill  
25 paying, and consulting.

1 M. TASCH

2 Q. So Berdon provides the same  
3 services for Canal as it does for  
4 Mr. De Niro, correct?

5 A. That is correct.

6 Q. Okay.

7 And what type of consulting  
8 services does Berdon perform for  
9 Canal?

10 A. Again, Canal -- we get  
11 involved in -- we have been involved  
12 in the contract, tax planning,  
13 things like that.

14 Q. Okay.

15 And Berdon prepares tax  
16 returns for Canal, correct?

17 A. Correct.

18 Q. Does Berdon monitor Canal's  
19 accounts?

20 A. I'm not sure I understand  
21 the question.

22 Q. Does Berdon review Canal's  
23 expenditures?

24 A. I don't understand the  
25 question.

1 M. TASCH

2 Q. Does Berdon pay bills for  
3 Canal?

4 A. We do.

5 Q. What bills does Berdon pay  
6 for Canal?

7 MS. JACOBS: I'm sorry.

8 I couldn't hear you.

9 Q. What types of bills does  
10 Berdon pay for Canal?

11 A. We pay all the professional  
12 fees, we pay the AMEX bills, we pay  
13 the office bills, not all of them,  
14 but some of them.

15 Q. What office bills does  
16 Berdon not pay for?

17 A. I don't remember  
18 particularly, but there are always a  
19 few along the way that were paid by  
20 Canal, itself, usually via credit  
21 card.

22 Q. And when you say, "Canal,  
23 itself," what do you mean, someone  
24 in the Canal office?

25 A. Chase.



1 M. TASCH

2 Q. Berdon pays the bulk of  
3 bills for Canal, correct?

4 A. Today we do, yes.

5 Q. And how long -- for how  
6 long has Berdon paid the bulk of  
7 bills for Canal?

8 A. Probably most of the time  
9 we have been involved.

10 Q. Okay.  
11 What were Berdon's  
12 responsibilities with respect to  
13 Canal's bills?

14 A. I'm not sure I understand  
15 the question.

16 Q. Would Berdon personnel  
17 regularly review Canal's bills?

18 MR. BENNETT: Annie, what  
19 is the time period?

20 Q. Over the past decade, would  
21 Berdon personnel regularly review  
22 Canal's bills?

23 A. That is a long time to be  
24 answering that question.

25 Q. Okay.

1 M. TASCH

2 Over the past five years,  
3 would Berdon personnel regularly  
4 review Canal's bills?

5 A. We would generally review  
6 every bill that we pay.

7 Q. Okay.

8 Is that -- was that true  
9 over the past decade?

10 A. Yes.

11 Q. Okay.

12 How frequently would Berdon  
13 -- over the past decade, how  
14 frequently would Berdon personnel  
15 review Canal's bills?

16 A. That question was just  
17 answered.

18 Q. You -- you -- would you  
19 review -- would Berdon review bills  
20 as they came in?

21 A. We reviewed the bills as we  
22 paid them.

23 Q. Okay.

24 How frequently would Berdon  
25 pay Canal's bills?

1 M. TASCH

2 A. It could be daily, it could  
3 be monthly, whatever bills came into  
4 the office or got forwarded by  
5 Canal, we got them and paid them.  
6 We might pay them the day it came  
7 in, a day later, a week later.

8 Q. And you testified that  
9 Berdon would review all of Canal's  
10 bills?

11 A. I didn't say that.

12 MS. JACOBS: Is there a  
13 question pending?

14 Q. Sorry. Mr. Tasch, can you  
15 wait until I finish the question  
16 before you jump in?

17 What review would Berdon  
18 undertake with respect to Canal's  
19 bills?

20 A. I don't understand the  
21 question.

22 Q. So you have testified that  
23 Berdon would review Canal's bills,  
24 and I am just asking what review --  
25 what would that review look like?

1 M. TASCH

2 A. We would look at the bill  
3 to see if it added up to what the  
4 total would be. If need be, if we  
5 had any questions, we would ask  
6 questions on it. But generally when  
7 the bills came in, we just made sure  
8 they added up correctly, it was a  
9 timely bill, and we paid it.

10 Q. Okay.

11 And how much time would  
12 Berdon spend reviewing the bills?

13 A. I do not know the answer to  
14 that question.

15 Q. How many Berdon employees  
16 were involved in reviewing Canal's  
17 bills?

18 MR. DROGIN: Objection to  
19 the form. I do want to note  
20 for the record that Berdon is  
21 not testifying here. To be  
22 clear, you are asking Mr.  
23 Tasch as a fact witness.  
24 This is not Berdon's  
25 testimony. Please proceed.

1 M. TASCH

2 Q. Mr. Tasch, how many Berdon  
3 employees were involved in reviewing  
4 Canal's bills?

5 MR. DROGIN: Objection to  
6 the form.

7 A. Generally two or three.

8 Q. Okay.

9 And were -- are you one of  
10 the people that would be involved in  
11 reviewing Canal's bills?

12 A. Yes.

13 Q. And who are the other  
14 Berdon employees who were involved  
15 in reviewing Canal's bills?

16 A. They changed over time.

17 Q. Who -- how many in the past  
18 decade would you say --

19 A. I have no idea.

20 Q. Okay.

21 How many in the past five  
22 years?

23 A. I'm not sure about that  
24 either.

25 Q. Okay.

1 M. TASCH

2 Is there -- are there any  
3 Berdon employees that you can think  
4 of now, that were involved in --

5 A. Yes.

6 Q. Okay.

7 Who are those employees?

8 THE WITNESS: Jane?

9 MS. JACOBS: You can  
10 answer it.

11 A. Okay. You want their  
12 names?

13 Q. Yes, please. Their full  
14 name?

15 A. Lindsay Palazzo (ph) and I  
16 -- and Eileen Axelrod (ph).

17 Q. And if you recall, what  
18 years were those employees involved  
19 in reviewing Canal's bills?

20 A. Over the last three years.

21 Q. Are there any other Berdon  
22 employees that you can recall that  
23 would review Canal's bills?

24 A. No.

25 Q. Did Berdon have a method to

1 M. TASCH

2 organize Canal's bills?

3 A. I'm not sure what that  
4 means.

5 Q. Is there any organization  
6 method that Berdon would employ when  
7 reviewing Canal's bills?

8 MS. JACOBS: I am going  
9 to object to the form of the  
10 question.

11 A. I don't even understand the  
12 question.

13 Q. Is there any system that  
14 Berdon has in place to keep track of  
15 and save Canal's bills?

16 MR. DROGIN: Objection to  
17 the form. Hold on.  
18 Objection to the form.

19 MS. JACOBS: Join.

20 MR. DROGIN: Among other  
21 things, it is a compound  
22 question.

23 Q. Over the last decade, has  
24 Berdon had any system to keep track  
25 of and save Canal's bills?

1 M. TASCH

2 A. I can't answer that.

3 MR. DROGIN: Objection to  
4 the form.

5 Q. Over the last decade, has  
6 Berdon had any system to keep track  
7 of Canal's bills?

8 MR. DROGIN: Objection to  
9 the form.

10 MS. JACOBS: Join.

11 Q. Mr. Tasch, if you could  
12 please respond verbally to the  
13 question.

14 A. I don't understand the  
15 question.

16 Q. Again, if you don't  
17 understand the question, just say  
18 so.

19 What part of -- well --  
20 Would Berdon -- Berdon  
21 would provide financial advising for  
22 Canal, correct?

23 A. I don't understand the  
24 question.

25 Q. Mr. De Niro has testified



1 M. TASCH

2 that Berdon helped provide checks  
3 and balances for Canal. In what  
4 ways does Berdon do this?

5 A. I don't understand the  
6 context of his answer.

7 Q. Have there been any  
8 material changes in the last decade  
9 as to the services that Berdon  
10 performs for Canal?

11 A. No.

12 Q. Did Mr. De Niro ever  
13 discuss with you Berdon providing  
14 checks and balances for Canal?

15 A. I don't understand that  
16 question.

17 Q. Did Mr. De Niro ever  
18 discuss with you idea of Berdon  
19 providing checks and balances for  
20 Canal?

21 A. You are asking the same  
22 question four times and I don't  
23 understand the question.

24 Q. So is that a term that --  
25 is checks and balances a term that

1 M. TASCH

2 Mr. De Niro has ever used with you?

3 A. No.

4 Q. Are there any -- are there  
5 any entities owned or operated by  
6 Mr. De Niro for which Berdon  
7 provides financial services?

8 A. Yes.

9 Q. And which ones?

10 A. We have [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]ph), and  
14 there is a few other small ones that  
15 I just can't recall off the top of  
16 my head.

17 Q. Does Berdon provide  
18 financial services for any members  
19 of Mr. De Niro's family?

20 A. I don't understand the  
21 question.

22 Q. Does Berdon provide any  
23 services at all for any members of  
24 Mr. De Niro's family?

25 MR. DROGIN: Objection.

1 M. TASCH

2 What is the relevance of this  
3 question?

4 Q. Mr. Tasch, you should  
5 answer the question.

6 A. I don't understand the  
7 question.

8 MR. DROGIN: I am  
9 objecting on the grounds of  
10 relevance.

11 MS. SLOAN: Not a proper  
12 objection.

13 MR. DROGIN: It is when  
14 you don't stipulate that all  
15 objections other than to form  
16 are preserved for trial. How  
17 is it all related to what  
18 Berdon does for a member of  
19 Mr. De Niro's family?  
20 Whatever family --

21 Q. Mr. Tasch, so you are --  
22 you are one of Berdon's accountants  
23 who handles Mr. De Niro's account,  
24 correct?

25 A. Yes.

1 M. TASCH

2 Q. Does Berdon have any  
3 retainer or engagement agreements  
4 with any members of Mr. De Niro's  
5 family?

6 MR. DROGIN: Objection to  
7 the form.

8 A. No.

9 Q. How long have you known Mr.  
10 De Niro?

11 A. Approximately 14 years.

12 Q. And did you meet him around  
13 the same time that Berdon began  
14 providing services for him?

15 A. Almost the same time,  
16 probably about three weeks to a  
17 month afterwards.

18 Q. Okay.

19 And have you been on Mr. De  
20 Niro's account since December of  
21 2008?

22 A. January of '09.

23 Q. And is -- did you begin  
24 providing services for Canal in  
25 January of 2009 as well?

1 M. TASCH

2 A. Yes.

3 Q. Mr. De Niro at his  
4 deposition referred to Berdon as a  
5 business manager. For how long has  
6 Berdon acted as Mr. De Niro's  
7 business manager?

8 MR. DROGIN: Objection to  
9 the form.

10 MS. JACOBS: Objection to  
11 the form. You can answer.

12 Q. Did you provide a response?

13 A. I don't understand the  
14 question.

15 Q. Has Mr. De Niro ever  
16 referred to Berdon as a business  
17 manager?

18 MR. DROGIN: Objection to  
19 the form.

20 Q. In conversations with you?

21 A. Not that I recall.

22 Q. How much of your working  
23 time is spent servicing Canal, Mr.  
24 De Niro, or his other businesses?

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form of those questions.

3 Can you give a metric?

4 Q. Mr. Tasch, you should  
5 answer the question.

6 A. I don't understand the  
7 question.

8 MR. DROGIN: I mean,  
9 really, it is a horrible  
10 question.

11 Q. Are Mr. De Niro and his  
12 entities your biggest clients?

13 MR. DROGIN: Objection to  
14 the form. There has been no  
15 testimony that it is his  
16 client. Do you mean Berdon's  
17 client?

18 Q. Mr. Tasch, again, if you  
19 don't understand the question,  
20 please let me know so I know that  
21 you are not thinking and I can ask a  
22 new question or rephrase the  
23 question.

24 A. I don't understand the  
25 question.

1 M. TASCH

2 MR. DROGIN: I'm sorry.

3 Did you just tell him that  
4 you don't want him to think?

5 MS. SLOAN: No. That is  
6 why I am waiting to see if he  
7 is thinking --

8 A. I don't understand the  
9 question.

10 Q. Do you spend most of your  
11 working time servicing Canal, Mr. De  
12 Niro, or his other businesses?

13 MR. DROGIN: Objection to  
14 the form.

15 MS. JACOBS: You can  
16 answer if you can, Michael.

17 A. I'm not sure I understand  
18 the question so it is hard for me to  
19 answer.

20 Q. Are -- okay.

21 Is your compensation from  
22 Berdon tied in any way to the work  
23 that you perform for Mr. De Niro and  
24 his entities?

25 A. No.

1 M. TASCH

2 Q. You testified earlier about  
3 Lindsay Palazzo and Eileen Axelrod  
4 reviewing Canal bills. Over the  
5 past decade, are there other Berdon  
6 employees that you can recall  
7 performing services for Canal or Mr.  
8 De Niro?

9 A. Yes. Two employees in  
10 particular, Francis Camiso (ph), and  
11 Victoria Devincenzo (ph).

12 Q. And what was Francis  
13 Camiso's role at Berdon?

14 A. Francis was a bookkeeper.

15 Q. And what was her role with  
16 respect to Canal?

17 A. She would pay the bills,  
18 and if we had to do wires, she would  
19 prepare wires.

20 Q. Okay.

21 And sorry, what was the  
22 second person that you name, was  
23 that Victoria --

24 A. Devincenzo.

25 Q. What was her role at



1 M. TASCH

2 Berdon?

3 A. Same as Francesca's.

4 Q. So she performed the same  
5 role with respect to Canal?

6 A. Yes.

7 Q. Over the past decade which  
8 Berdon partner has the been the lead  
9 for Mr. De Niro?

10 A. Mark Bosswick.

11 Q. Over the past decade, which  
12 Berdon partner has been the lead for  
13 Canal, was that Mark Bosswick as  
14 well?

15 A. Mark is the lead partner so  
16 to speak. I'm not sure what you  
17 mean by partner or accountant. He  
18 is not and never has been involved  
19 in the day to day.

20 Q. The day to day with respect  
21 to the Canal account?

22 A. Yes.

23 Q. Okay.

24 And who has been the main  
25 Berdon employee who has been

1 M. TASCH

2 involved in the day to day for  
3 Canal's account?

4 A. I have.

5 Q. And when did you become  
6 that main primary person?

7 A. January of '09.

8 Q. So since January 2009, you  
9 have been the lead person at Berdon  
10 that was staffed on handling matters  
11 for Mr. De Niro and his entities?

12 MR. DROGIN: Objection to  
13 the form.

14 Q. Is that correct?

15 A. For the most part.

16 Q. And you have been the main  
17 person who is staffed in handling  
18 matters for Canal over the past  
19 decade, correct?

20 MR. DROGIN: Objection to  
21 the form.

22 A. For the most part, yes.

23 Q. Over the past decade, which  
24 Canal employees would you have  
25 direct interaction with?

1 M. TASCH

2 A. I don't recall when I  
3 started, more recently, Michael  
4 Kaplan, Chase, when she was there,  
5 Sabrina, Jillian. There have been a  
6 few others there, but their names  
7 escape me at this particular moment.

8 Q. How often would you  
9 interact with Mr. Kaplan?

10 MR. DROGIN: Objection to  
11 the form. Can you please  
12 give a time period?

13 Q. Over the past decade, when  
14 Mr. Kaplan was at Canal, how often  
15 would you interact with Mr. Kaplan?

16 MR. DROGIN: Objection to  
17 the form.

18 A. I can't possibly answer  
19 that question.

20 Q. Okay.

21 During -- how often would  
22 you interact with Mr. Kaplan during  
23 a typical week?

24 MR. DROGIN: Objection to  
25 the form.

1 M. TASCH

2 A. Not that often.

3 Q. And what does that mean;  
4 would you interact with him at least  
5 once a week?

6 A. Every day and every week is  
7 different.

8 MR. DROGIN: Objection to  
9 the form.

10 Q. Was it -- was it typical  
11 for you to not interact with Mr.  
12 Kaplan during --

13 MR. DROGIN: Objection to  
14 the form.

15 MS. SLOAN: Mr. Drogin,  
16 can you please just wait --  
17 if you could wait until --

18 MR. DROGIN: I will try,  
19 but it is hard not to react  
20 when the question is poorly  
21 drafted right in the middle.  
22 I would also ask that you  
23 differentiate between the  
24 time that Chase was there and  
25 Chase not there. I think you

1 M. TASCH

2 would have a much cleaner  
3 record.

4 MS. SLOAN: Okay. Noted.

5 Q. During the a typical week,  
6 was it -- was it common for you to  
7 not interact with Mr. Kaplan?

8 MR. DROGIN: Objection to  
9 the form.

10 MS. JACOBS: Objection to  
11 the form. Use of the word  
12 typical and common.

13 Q. Mr. Tasch, again, you can  
14 answer when your attorney objects.

15 A. Okay. I don't even  
16 understand question.

17 Q. During Ms. Robinson's  
18 employment, how often would you  
19 interact with Mr. Kaplan in a  
20 typical month?

21 MS. JACOBS: Objection to  
22 the form.

23 A. I can't answer that  
24 question.

25 Q. During Ms. Robinson's

1 M. TASCH

2 employment, how often would you  
3 interact with any of the Canal  
4 employees in a typical month?

5 A. I can't answer that  
6 question either.

7 Q. On what subjects would  
8 Canal employees consult with you?

9 A. It could be -- if they had  
10 a question about a particular  
11 subject, or occasionally in  
12 Michael's case if he had a question  
13 about the phone bill, or maybe some  
14 petty cash, things like that.

15 MS. SLOAN: I would like  
16 to take a five-minute break,  
17 please.

18 THE VIDEOGRAPHER: The  
19 time is 10:44 a.m. We are  
20 off the record.

21 (Whereupon, a recess was  
22 taken at this time.)

23 THE VIDEOGRAPHER: The  
24 time is 10:15 a.m. We are  
25 back on the record.

1 M. TASCH

2 Q. Mr. Tasch, you understand  
3 that you are still under oath,  
4 correct?

5 A. Correct.

6 Q. During Ms. Robinson's  
7 employment at Canal, how often would  
8 you speak with Mr. De Niro?

9 A. Not very often.

10 Q. Would you speak with him  
11 weekly?

12 A. Not all the time.

13 Q. Would you speak with him at  
14 least once a month?

15 A. Yes.

16 Q. And during Ms. Robinson's  
17 employment at Canal, how often would  
18 you -- would you communicate with  
19 Mr. De Niro?

20 A. Could you repeat that?

21 Q. During Ms. Robinson's  
22 employment at Canal, would you  
23 communicate with Mr. De Niro in any  
24 way?

25 A. We just discussed that. I

1 M. TASCH

2 told you that I spoke to him at  
3 least once a month.

4 Q. On what subjects would you  
5 communicate with Mr. De Niro?

6 A. It could be on various  
7 subjects. Whatever he had on his  
8 mind or if I had a particular  
9 question about something.

10 Q. Would you communicate with  
11 Mr. De Niro -- what -- excuse me.  
12 Strike that.

13 What types of questions  
14 would you have that you would  
15 communicate with Mr. De Niro about?

16 A. It would be many things.

17 Q. What is an example of  
18 something that you would have a  
19 question about that you would speak  
20 to Mr. De Niro?

21 A. Well, sometimes we would  
22 talk about the tax returns and how  
23 we might be preparing them, we could  
24 talk about if he was making a movie,  
25 what money was coming in, stuff like



1 M. TASCH

2 that.

3 Q. Would you communicate with  
4 Mr. De Niro about Canal's  
5 financials?

6 A. I'm not sure I understand  
7 the question.

8 Q. What types of questions  
9 pertaining to Canal would you raise  
10 with Mr. De Niro?

11 A. We just went over this a  
12 second ago.

13 Q. We discussed the topics  
14 that you would discuss with him. I  
15 am asking now what types of  
16 questions pertaining to Canal would  
17 you discuss with Mr. De Niro?

18 A. I didn't really have  
19 questions for Mr. De Niro. If he  
20 was making a movie, we went over  
21 what he was going to make on the  
22 movie, or if I had a particular cash  
23 flow problem, I would discuss that  
24 with him, or I would discuss taxes  
25 with him.

1 M. TASCH

2 Q. Would you communicate with  
3 Mr. De Niro about Canal's bank  
4 accounts?

5 A. I don't understand the  
6 question.

7 Q. Would you communicate with  
8 Mr. De Niro about Canal's spending?

9 A. I missed the last part.  
10 You came in and out a little bit.

11 Q. Would you communicate with  
12 Mr. De Niro about Canal's spending?

13 A. Not generally.

14 Q. You would monitor Canal's  
15 cash flow, correct?

16 A. I don't understand the  
17 question.

18 Q. You would communicate with  
19 Mr. De Niro about Canal's cash flow?

20 A. Occasionally, we would talk  
21 about cash flow.

22 Q. Would you communicate with  
23 Mr. De Niro about payroll?

24 A. Generally not.

25 Q. Would you communicate with

1 M. TASCH

2 Mr. De Niro about salaries?

3 A. Generally not.

4 Q. Would you communicate with

5 Mr. De Niro about Canal bonuses?

6 A. Generally not. That was  
7 all Chase's job.

8 Q. Okay.

9 Did Berdon process payroll  
10 for Canal?

11 A. No.

12 Q. What was Berdon's role with  
13 respect to Canal's payroll?

14 A. I don't even understand  
15 that question.

16 Q. Would -- did Berdon have  
17 any role regarding Canal's payroll?

18 A. The only role we had was  
19 when Chase would tell us there was  
20 overtime involved for some of the  
21 employees, we would call it in.

22 Q. So since -- you currently  
23 -- Berdon currently has no role  
24 regarding Canal's payroll?

25 A. I just explained my role.

1 M. TASCH

2 Q. Did Berdon communicate with  
3 Mr. De Niro about the expenses that  
4 Canal employees were authorized to  
5 charge to Canal?

6 MR. DROGIN: Objection.

7 Hold on. You are asking the  
8 witness about what Berdon did  
9 or what he did? You are  
10 doing this again. We are --  
11 you are -- you haven't  
12 subpoenaed Berdon.

13 Q. Mr. Tasch, would you  
14 communicate with Mr. De Niro about  
15 the expenses that Canal employees  
16 were authorized to charge to Canal?

17 MR. DROGIN: Objection to  
18 the form.

19 A. I don't recall that.

20 THE WITNESS: Sorry.

21 MR. DROGIN: That is  
22 okay.

23 Q. During Ms. Robinson's  
24 employment, would Berdon review  
25 Canal's finances with Mr. De Niro on

1 M. TASCH

2 a regular basis?

3 A. I don't even know what that  
4 means.

5 Q. When -- when Ms. Robinson  
6 was employed at Canal, how often  
7 would Berdon communicate with Mr. De  
8 Niro about Canal's finances?

9 A. I don't understand the  
10 question.

11 Q. When Ms. Robinson was  
12 employed at Canal, how often would  
13 you communicate with Mr. De Niro  
14 about anything to do with Canal's  
15 finances?

16 A. Still don't understand the  
17 question.

18 Q. Well, what part of the  
19 question don't you understand?

20 A. I don't understand the  
21 question.

22 Q. Is there a word -- is there  
23 a specific word that you don't  
24 understand in the question?

25 A. It is not my job to tell

1 M. TASCH

2 you what I don't understand.

3 Q. Mr. Tasch, if there is a  
4 specific word that you don't  
5 understand?

6 A. I don't understand the  
7 question.

8 Q. When Ms. Robinson was  
9 employed at Canal, how often would  
10 Berdon communicate with Mr. De Niro  
11 about any aspect of Canal's  
12 spending?

13 MR. DROGIN: Objection to  
14 the form. And again, to the  
15 fact that you are asking him  
16 about Berdon, opposed to  
17 himself. He is here as a  
18 fact witness in this case.

19 Q. Mr. Tasch, are you thinking  
20 or do you not understand the  
21 question?

22 A. Can you repeat it, please?

23 Q. Did you have meetings with  
24 Mr. De Niro to go over aspects of  
25 Canal's finances?

1 M. TASCH

2 A. We occasionally had  
3 meetings, yes.

4 Q. How often would you have  
5 meetings with Mr. De Niro?

6 A. Not that often, maybe --  
7 maybe twice a year.

8 Q. And what would you discuss  
9 in those meetings?

10 MR. DROGIN: Objection to  
11 the form.

12 A. Repeat the question,  
13 please?

14 Q. What would you discuss in  
15 those meetings?

16 A. General finances.

17 Q. How long would those  
18 meetings typically last?

19 MR. DROGIN: Objection to  
20 the form.

21 A. Half hour, 45 minutes.

22 Q. Can you walk me through  
23 what would happen at a typical  
24 meeting with Mr. De Niro?

25 A. I don't even understand

1 M. TASCH

2 what that means.

3 Q. You have testified that you  
4 would meet with Mr. De Niro to go  
5 over Canal's finances about twice a  
6 year, correct?

7 A. Yes.

8 Q. Can you walk me through  
9 what would happen at those meetings?

10 MR. DROGIN: Objection to  
11 the form.

12 A. We would discuss finances,  
13 generally, for Canal, for him.

14 Q. Would you walk him through  
15 the state of Canal's finances?

16 MR. DROGIN: Objection to  
17 the form.

18 A. In totality, we went over  
19 things. Never anything really  
20 specific.

21 Q. Would you bring documents  
22 to the meeting?

23 A. We had -- we had some  
24 documents, yes.

25 Q. What types of documents



1 M. TASCH

2 would you bring to the meetings?

3 A. Generally -- generally a  
4 cash flow statement.

5 Q. And would you review that  
6 cash flow statement with Mr. De Niro  
7 in the meeting?

8 A. Yes.

9 Q. Would you discuss with Mr.  
10 De Niro Canal's expenditures?

11 A. We touched on the topic.

12 Q. And what would you do to  
13 prepare the cash flow statements  
14 that you brought to the meeting?

15 A. I'm not sure I understand  
16 the question.

17 Q. You brought cash flow  
18 statements to the meetings and you  
19 reviewed those statements with Mr.  
20 De Niro, correct?

21 A. Correct. Yes.

22 Q. What would you do to  
23 prepare those statements?

24 A. We would look at the cash  
25 in the bank, look at prospective

1 M. TASCH

2 cash coming in, whether it was  
3 movies or other, and then we took an  
4 average of monthly expenses.

5 Q. What would you tell Mr. De  
6 Niro about Canal's expenditures?

7 A. Nothing in particular.

8 MR. DROGIN: Objection to  
9 the form.

10 Q. Nothing in particular.  
11 You would discuss with him  
12 Canal's expenditures, correct?

13 A. There were many discussions  
14 in those meetings.

15 Q. What would you say to him  
16 about the expenditures?

17 A. If we thought they were in  
18 line, we didn't have really a  
19 discussion about it. If we thought  
20 something might be high, or if there  
21 was prospective expenditure coming  
22 up, we might discuss things like  
23 that.

24 Q. Would he ask you questions  
25 about the expenditures?

1 M. TASCH

2 A. For the most part, no.

3 Q. Would you flag any concerns  
4 about Canal expenditures?

5 MR. DROGIN: Objection to  
6 the form.

7 A. Generally not.

8 Q. So you mostly would just  
9 summarize the status of Canal's  
10 expenditures?

11 A. I would say that is  
12 correct.

13 Q. What would -- what did you  
14 review to summarize the Canal  
15 expenditures?

16 A. I'm sorry?

17 Q. What would you review in  
18 order to summarize Canal's  
19 expenditures?

20 A. I don't understand the  
21 question.

22 Q. In order to discuss the  
23 summary of Canal's expenditures with  
24 Mr. De Niro, would you review  
25 anything in advance of the meeting?

1 M. TASCH

2 A. No.

3 Q. Okay.

4 How would those meetings  
5 with Mr. De Niro end?

6 MR. DROGIN: Objection.

7 Are you serious? You mean  
8 like with a handshake or a  
9 goodbye?

10 A. Did I give him a kiss? I  
11 don't understand the question.

12 MR. DROGIN: I mean, how  
13 would a meeting end?

14 Q. You were familiar enough  
15 with Canal's spending that you  
16 didn't need to review anything in  
17 particular to summarize for Mr. De  
18 Niro Canal's spending?

19 MR. DROGIN: Objection.

20 It is a leading question and  
21 it is putting words into the  
22 witness' mouth that he did  
23 not utter. Objection.

24 Leading.

25 MS. SLOAN: Paige, can

1 M. TASCH

2 you read back the question,  
3 please?

4 (Whereupon, the requested  
5 portion was read back by the  
6 reporter:

7 Q: You were familiar  
8 enough with Canal's spending  
9 that you didn't need to  
10 review anything in particular  
11 to summarize for Mr. De Niro  
12 Canal's spending?)

13 MR. DROGIN: Same  
14 objection.

15 A. It doesn't appear to be a  
16 question at all. It is a statement.

17 Q. Is that correct?

18 A. I don't know what you are  
19 asking.

20 Q. I will restate the question  
21 with -- so that it is clear it is a  
22 question.

23 Is it correct that you were  
24 familiar enough -- strike that.

25 Were you familiar enough

1 M. TASCH

2 with Canal's spending that you  
3 didn't need to review anything in  
4 particular to summarize for Mr. De  
5 Niro Canal's spending?

6 A. I don't understand the  
7 question.

8 Q. You testified that you  
9 didn't need to review anything in  
10 order to discuss the summary of  
11 Canal's expenditures with Mr. De  
12 Niro, correct?

13 A. I'm sorry. Repeat the  
14 question, please?

15 Q. You testified earlier that  
16 you did not need to review anything  
17 in order to discuss the summary of  
18 Canal's expenditures with Mr. De  
19 Niro, correct?

20 A. Sometimes.

21 Q. Okay.

22 So you sometimes would  
23 review things?

24 A. Yes.

25 Q. And when you did review

1 M. TASCH

2 things, what would you review?

3 A. Whatever expenses I deemed  
4 to be looked into.

5 Q. And what -- what would --  
6 can you describe that for me?

7 A. I don't recall which  
8 particular ones.

9 Q. How would you decide?

10 A. Usually looking at maybe  
11 the average over a period of time.  
12 Is there still a question about how  
13 the meeting ended?

14 Q. No. We have moved on.

15 A. We are done with that?  
16 Okay.

17 Q. What documents would you  
18 review to identify an average?

19 A. If I had to review, I would  
20 look at the bills.

21 Q. Okay.

22 Is there anything you would  
23 look at besides bills?

24 A. No.

25 Q. During Ms. Robinson's

1 M. TASCH

2 employment, which Canal's employees  
3 had Canal American Express credit  
4 cards under their names?

5 A. As far as I knew, every one  
6 of them.

7 Q. Every single Canal employee  
8 had their own credit card under  
9 their name?

10 A. As far as I remember, yes.

11 Q. The Canal credit card in  
12 Michael Kaplan's name was primarily  
13 used for expenses that were personal  
14 for Mr. De Niro or his family,  
15 correct?

16 MR. DROGIN: Objection to  
17 the form.

18 A. I just don't recall that.  
19 I know Chase and I talked about  
20 that. We used one of the cards for  
21 business and one of the cards for  
22 personal. I just don't remember  
23 which one was what.

24 Q. Do you recall a time when  
25 the only -- there were only credit



1 M. TASCH

2 cards in Ms. Robinson, Mr. Kaplan  
3 and Mr. Harvey's name?

4 A. Can you repeat that,  
5 please?

6 Q. Wasn't there a time when  
7 there were only Canal credit cards  
8 in the name of Ms. Robinson, Mr.  
9 Kaplan and Mr. Dan Harvey?

10 A. No, I don't recall that. I  
11 thought there was one for Sabrina  
12 and Jillian as well.

13 Q. The Canal credit card in  
14 Ms. Robinson's name -- so you  
15 testified that there was a credit  
16 card that was primarily used for  
17 personal expense and one for  
18 business expense?

19 A. Yes, and I just don't  
20 remember which one was which.

21 Q. During Ms. Robinson's  
22 employment, there wasn't a credit  
23 card for Mr. Sabrina Weeks-Britain  
24 or Jillian Spear, correct?

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form. You can answer.

3 A. Can you repeat that,  
4 please?

5 Q. When Ms. Robinson was  
6 employed at Canal, there wasn't a  
7 credit card for Ms. Sabrina  
8 Weeks-Britain or Ms. Jillian Spear,  
9 correct?

10 A. Listen, I am not positive.  
11 I thought there was. I could be  
12 mistaken, but I thought there was.

13 Q. What types of expenses  
14 would typically be put on the Canal  
15 American Express that were meant for  
16 business or operational business  
17 expenses?

18 MR. DROGIN: Objection to  
19 the form.

20 A. There could be some -- it  
21 was meals, Ubers, business gifts,  
22 typical stuff like that.

23 Q. Okay.

24 And what was the reason for  
25 the distinction in the types of

1 M. TASCH

2 expense that appeared on the credit  
3 card in Ms. Robinson's name versus  
4 the credit card in Mr. Kaplan's  
5 name?

6 A. Chase and I had had a  
7 conversation that she thought it  
8 would be easier if we kept the  
9 business on one card and the  
10 personal on the other so when we  
11 book the expenses it would be easier  
12 for us.

13 Q. Sorry, when you what the  
14 expenses?

15 A. Book.

16 Q. Okay.

17 And it would be easier from  
18 things -- the accounting  
19 prospective, correct?

20 A. Yes.

21 Q. Throughout the past decade,  
22 the credit cards statements for the  
23 Canal American Express cards have  
24 been sent to Berdon, correct?

25 A. I am not positive about

1 M. TASCH

2 that.

3 Q. Berdon would pay the credit  
4 card statements -- would pay the  
5 credit cards bills, correct?

6 A. Yes.

7 MR. DROGIN: Objection to  
8 the form.

9 THE WITNESS: Sorry.

10 MR. DROGIN: That is  
11 okay.

12 Q. During Ms. Robinson's  
13 employment, the credit cards  
14 statements for the Canal American  
15 Express were sent to Berdon, is that  
16 correct?

17 A. I am not sure.

18 Q. Would Berdon review Canal's  
19 credit cards statements before  
20 paying the credit card bills?

21 A. We would look at them, yes.

22 Q. And what would -- what  
23 would you do -- what review process  
24 would you undertake with respect to  
25 those statements?

1 M. TASCH

2 A. I don't understand the  
3 question.

4 Q. So you said that you would  
5 look at the statements. What type  
6 of review would you be employing  
7 when you were looking at them?

8 A. I don't understand the  
9 question.

10 Q. Would you look through  
11 every single page of the statement?

12 A. We would.

13 Q. Would you look at every  
14 single line -- line item of each  
15 statement?

16 A. Generally not.

17 Q. Okay.

18 So what -- just generally,  
19 what would you do to review the  
20 bills?

21 A. You just asked and I just  
22 answered.

23 Q. Well, what were you looking  
24 at when you were looking at the  
25 bills?

1 M. TASCH

2 A. We were looking to see what  
3 possible expenditures were, mostly  
4 large amounts.

5 Q. Okay.

6 So you would look at the  
7 line items of the large amounts?

8 A. (Witness nods head).

9 MR. DROGIN: The witness  
10 is nodding.

11 A. Yes, I apologize. Yes, we  
12 would.

13 Q. How much time would you  
14 spend reviewing Canal's credit card  
15 statements each month?

16 MR. DROGIN: Objection to  
17 the form.

18 A. I don't know. The -- the  
19 bookkeepers usually reviewed it, so  
20 I don't know how much time they  
21 spent.

22 Q. But you would review the  
23 credit card statements as well,  
24 correct?

25 A. I would generally just take

1 M. TASCH

2 a quick peek. If they had  
3 particular questions we would  
4 discuss it before. I trusted both  
5 of them to do it, so --

6 Q. And which bookkeepers?

7 A. Mostly talking about the  
8 current ones. Eileen -- Lindsay who  
9 was the bookkeeper and Eileen who  
10 was the manager on the account.

11 Q. During Ms. Robinson's  
12 employment, which bookkeepers would  
13 review the bills, the statements?

14 A. Same. Francesca who we  
15 discussed before and Victoria.

16 Q. And what -- okay.

17 What instructions were  
18 given to Berdon's bookkeepers with  
19 respect to their review of  
20 Canal's --

21 MR. DROGIN: Objection.

22 Assumes facts not in  
23 evidence. You have not  
24 established that instructions  
25 were given.

1 M. TASCH

2 Q. Mr. Tasch, were  
3 instructions given to Berdon's  
4 bookkeepers with respect to their  
5 review of Canals' bills?

6 A. I don't understand the  
7 question.

8 Q. Did Canal's bookkeepers  
9 receive any instruction at all from  
10 you about what they -- about their  
11 review with respect to Canal's  
12 bills?

13 A. Generally not.

14 Q. Did you have a method to  
15 organize Canal's credit card  
16 statements?

17 A. I don't understand that  
18 question at all.

19 Q. So what were the  
20 bookkeepers supposed to be looking  
21 for when they were reviewing Canal's  
22 credit card bills?

23 A. Well, mostly when we look  
24 at bills we make sure it is correct  
25 on its face, totals are correct,



1 M. TASCH

2 there aren't duplicate charges, per  
3 se. If there are, we check them out  
4 with the client to see if that is --  
5 if that is correct. There may have  
6 been credits on the bills that we  
7 wanted to check out and maybe we  
8 would ask the client also. Things  
9 like that.

10 The first thing we do when  
11 we look at a bill, even though it is  
12 an electronically done, is we just  
13 do a quick check to make sure it is  
14 correct.

15 Q. So the bookkeepers would  
16 look at every single line in  
17 reviewing?

18 A. As we established before  
19 that, we wouldn't look at every  
20 single line.

21 Q. Okay.

22 You would scan all of the  
23 charges to see --

24 A. Yes.

25 Q. Were there types of

1 M. TASCH

2 expenses that the bookkeepers didn't  
3 scrutinize line by line?

4 MR. DROGIN: Objection to  
5 the form.

6 A. I don't recall.

7 Q. And you were generally  
8 familiar with the charges being made  
9 to the Canal American Express card  
10 for --

11 A. Yes. Once we were on the  
12 account for a little while, we got  
13 used to what was being charged.

14 Q. And what -- so when would  
15 you say that you got used to what  
16 was charged?

17 A. I would -- I don't know. I  
18 would say probably within a year or  
19 so.

20 Q. And so that would be, you  
21 know, by 2010?

22 A. Maybe.

23 Q. And so what were typical  
24 expenses that appeared on the Canal  
25 American Express credit card under

1 M. TASCH

2 Ms. Robinson's name?

3 A. Ubers, Lyfts, business  
4 gifts.

5 Q. Okay.

6 Anything else?

7 A. I don't recall.

8 Q. What would you do if you  
9 identified a suspicious charge on  
10 the credit card statement?

11 A. We would speak to Chase  
12 about that.

13 Q. Okay.

14 Were -- were meals also a  
15 typical charge on the -- that you  
16 would see on the Canal American  
17 Express credit card under Ms.  
18 Robinson's name?

19 A. I think that was asked and  
20 answered already.

21 MR. DROGIN: I don't  
22 think it was. Just go ahead.

23 THE WITNESS: She asked  
24 me what typical expenses are  
25 on the Canal credit card. I

1 M. TASCH

2 said it was Ubers, Lyfts,  
3 meals, business gifts.

4 MR. DROGIN: I don't  
5 think you said meals, but go  
6 ahead.

7 Q. Okay.

8 Would you review receipts  
9 reflecting charges made on the Canal  
10 credit cards?

11 MR. DROGIN: Objection.  
12 It assumes a fact not in  
13 evidence. You haven't asked  
14 about receipts. You asked  
15 about statements.

16 Q. You should still answer,  
17 Mr. Tasch?

18 A. What is the question?

19 Q. Would you receive receipts  
20 reflecting charges --

21 A. We never got receipts.

22 Q. Would -- so the bookkeepers  
23 wouldn't review receipts reflecting  
24 charges made on the Canal?

25 A. We never got receipts.

1 M. TASCH

2 Q. Would -- did you ever ask  
3 for receipts?

4 A. Generally on the credit  
5 cards statement for all clients we  
6 never asked for receipts.

7 Q. So you never asked for  
8 receipts from Canal?

9 MR. DROGIN: Objection to  
10 the form.

11 A. No.

12 Q. Would you ever review  
13 expenses on the credit card  
14 statements with Mr. De Niro?

15 A. Generally not.

16 Q. Were there times that you  
17 did?

18 A. Not that I recall.

19 Q. Would you ever review  
20 expenses on the credit card  
21 statements with anyone who works for  
22 Canal?

23 A. As I said a few minutes  
24 ago, if there were charges that had  
25 be looked at, we would discuss it

1 M. TASCH

2 with Chase.

3 Q. And why didn't you review  
4 any of the expenses on the credit  
5 cards statements with Mr. De Niro?

6 A. I didn't feel it was  
7 necessary to do.

8 Q. Okay.

9 During the time when Ms.  
10 Robinson was employed by Canal, did  
11 you ever identify any suspicious  
12 expenditures by Ms. Robinson?

13 A. Can you repeat the  
14 question, please?

15 Q. During the time when Ms.  
16 Robinson was employed by Canal, did  
17 you ever identify any suspicious  
18 expenditures by Ms. Robinson?

19 A. Are you asking a question  
20 if Chase used the card improperly?

21 Q. No.

22 I am asking during the time  
23 when Ms. Robinson was employed by  
24 Canal, did you ever identify any  
25 suspicious expenditures by Ms.

1 M. TASCH

2 Robinson?

3 MR. DROGIN: Objection to  
4 the form.

5 A. Are you asking if she --

6 Q. Did you ever --

7 MR. DROGIN: Objection to  
8 the form.

9 Q. The question is, did you --  
10 did you ever identify any suspicious  
11 expenditures by Ms. Robinson?

12 A. Are you asking if she used  
13 the card improperly?

14 Q. I am asking about what, if  
15 anything, you identified during Ms.  
16 Robinson's employment?

17 A. You are asking me if she  
18 used the card improperly?

19 Q. No. That is not my  
20 question.

21 A. Then what is your question?

22 Q. Okay.

23 During the time when Ms.  
24 Robinson was employed by Canal, did  
25 you ever identify any suspicious

1 M. TASCH

2 expenditures by Ms. Robinson?

3 A. Are you asking if she used  
4 the card improperly?

5 Q. I am asking about your --  
6 did you ever flag or identify any  
7 suspicious expenditures?

8 A. What you are asking is if  
9 she --

10 Q. That is not what I am  
11 asking.

12 A. That is exactly what you  
13 are asking. That is exactly what  
14 you are asking.

15 Q. It is certainly not.

16 A. It certainly is.

17 MR. DROGIN: Rather than  
18 arguing, which gets us  
19 nowhere --

20 MS. SLOAN: I will move  
21 on, and I will --

22 MR. DROGIN: The witness  
23 can answer to the best of his  
24 ability. If he is unable, he  
25 is unable.



1 M. TASCH

2 MS. SLOAN: That is  
3 right.

4 Q. I am just asking you to  
5 think back to the time when Ms.  
6 Robinson was employed at Canal.

7 Did you ever identify any  
8 suspicious expenditures by Ms.  
9 Robinson?

10 A. I am going to make the  
11 statement I just made a minute ago.  
12 You are asking me if she used the  
13 card improperly.

14 Q. That is not what I am  
15 asking.

16 A. It certainly is what you  
17 are asking.

18 MR. DROGIN: Do you just  
19 want him to answer that  
20 question?

21 MS. SLOAN: Yes -- no. I  
22 am asking him to answer the  
23 question that I am asking.

24 MR. DROGIN: You don't  
25 want him to answer the

1 M. TASCH

2 question that he is prepared  
3 to answer? Just so the  
4 record is clear. You don't  
5 want him to --

6 MS. SLOAN: I am asking  
7 him to answer what I am  
8 asking, which is what happens  
9 in a deposition.

10 (Simultaneous speaking)

11 MR. DROGIN: It is clear  
12 that he is resisting. He is  
13 proposing another question,  
14 and it sounds like he is  
15 prepared to answer the  
16 question if you adopt it. So  
17 the record should just be  
18 clear what the witness is  
19 proposing to answer and that  
20 you do not want to hear the  
21 answer to that question, or  
22 else you would adopt it and  
23 ask it.

24 MS. SLOAN: I am asking a  
25 different question.

1 M. TASCH

2 MS. JACOBS: I just want  
3 to note. I just realized I  
4 have been muted. I have been  
5 objecting to questions using  
6 the word suspicious. I would  
7 like to state that on the  
8 record.

9 Q. So Mr. Tasch, I am asking  
10 you to think through the times that  
11 Ms. Robinson was employed at Canal,  
12 okay? I am asking about what you  
13 identified.

14 I am asking did you ever  
15 identify to Mr. De Niro, or anyone  
16 else, any suspicious expenditures by  
17 Ms. Robinson?

18 MS. JACOBS: Objection to  
19 the form.

20 A. Are you asking if she used  
21 the card improperly?

22 Q. Before Ms. Robinson's  
23 employment ended, did you identify  
24 to Mr. De Niro or anyone else  
25 expenditures that you deemed

1 M. TASCH

2 suspicious?

3 A. So you are asking if she  
4 used the card improperly?

5 Q. That is not what I am  
6 asking.

7 MR. DROGIN: Why don't we  
8 just mark that and either  
9 come back to it or we will  
10 raise it with the Court? It  
11 seems silly that we are going  
12 in circles here.

13 Q. I am asking about -- just  
14 to be clear, Mr. Tasch, I am asking  
15 about communications that you had  
16 before Ms. Robinson's employment  
17 ended. And it is a -- it is a  
18 simple yes or no.

19 Did you ever identify to  
20 Mr. De Niro or anyone else any  
21 suspicious expenditures by Ms.  
22 Robinson?

23 A. You are asking me if she  
24 used the card improperly. Is that  
25 the question?

1 M. TASCH

2 Q. The question is about  
3 communications that you may or may  
4 not have made before Ms. Robinson's  
5 employment ended?

6 A. Well, I don't understand  
7 the question.

8 MR. DROGIN: Can you  
9 rephrase the question,  
10 perhaps?

11 MS. SLOAN: Well, I have  
12 rephrased the question a  
13 couple of times now.

14 Q. I'm asking if you  
15 communicated -- before Ms.  
16 Robinson's employment ended, did you  
17 communicate with Mr. De Niro about  
18 any concerning expenditures by Ms.  
19 Robinson?

20 A. You are asking if I spoke  
21 to Mr. De Niro about the improper  
22 use of a credit card by Chase?

23 Q. Before Ms. Robinson's  
24 employment -- Ms. Robinson's  
25 employment ended?

1 M. TASCH

2 A. You are asking me if she  
3 used the credit card improperly?

4 Q. Sir, I am asking about  
5 communications -- if you had any  
6 communications with Mr. De Niro  
7 about concerns --

8 A. About the improper use of  
9 Chase's credit card spending?

10 Q. About concerns that you had  
11 about --

12 A. You are asking me --  
13 (Simultaneous speaking)

14 MS. SLOAN: Ms. Jacobs,  
15 do you want to take a break  
16 so you can explain the  
17 question to your client?

18 A. I don't need the question  
19 explained to me.

20 Q. At this time it seems like  
21 a willful refusal to answer the  
22 question.

23 A. I think you are asking an  
24 improper question.

25 MR. DROGIN: Why don't

1 M. TASCH

2 you just let him answer the

3 question that he is posing?

4 Isn't that relevant?

5 MS. SLOAN: I am asking a

6 different question.

7 MR. DROGIN: But you are

8 avoiding --

9 MS. SLOAN: And he is

10 required to answer the

11 questions that I am asking,

12 not the question that he is

13 --

14 MR. DROGIN: But you are

15 avoiding the central question

16 in this case. Why don't

17 you --

18 MS. SLOAN: Mr. Drogin,

19 it is not your determination

20 to make. And it is not Mr.

21 Tasch's decision to decide

22 which questions he can

23 answer.

24 MR. DROGIN: Yes, but you

25 are avoiding. You are making

1 M. TASCH  
2 a record here that shows you  
3 are unable or unwilling to  
4 ask him that question.

5 MS. SLOAN: Counsel,  
6 stop. I am asking the  
7 questions in this deposition.  
8 The witness is required to  
9 answer the questions that I  
10 am asking.

11 MR. DROGIN: It doesn't  
12 work when Ms. Harwin says,  
13 "Counsel, stop," and it is  
14 not going to stop here. It  
15 is not going to stop us here.  
16 We are making a record.

17 MS. SLOAN: Exactly. And  
18 I am asking the questions in  
19 the deposition, and the  
20 witness is required to answer  
21 the questions that I am  
22 asking.

23 MR. DROGIN: And if he  
24 willfully refuses, you have  
25 your recourse.



1 M. TASCH

2 MS. SLOAN: Okay. For  
3 the record, Mr. Tasch is  
4 willfully refusing to answer  
5 the question.

6 A. No. I am not refusing. I  
7 don't understand the question.

8 MR. DROGIN: Now the  
9 witness has told you that he  
10 doesn't understand the  
11 question. And the witness  
12 has posed a question that he  
13 is willing to answer.

14 MS. SLOAN: Counsel,  
15 stop.

16 MR. DROGIN: When you  
17 say, "Counsel, stop," I am  
18 not going to stop because I  
19 am creating and I want this  
20 preserved for the record so  
21 the Court can see that you  
22 want a question answered that  
23 the witness says he doesn't  
24 understand, and he is  
25 prepared to adopt and answer

1 M. TASCH  
2 a question that is central to  
3 Canal's affirmative claims  
4 and destroys your retaliation  
5 claim. So the Court should  
6 see what you guys are doing  
7 here. Do you want him to  
8 answer that question or no?  
9 The question that he is  
10 prepared to answer. Yes or  
11 no?

12 MS. SLOAN: The witness  
13 should answer the question  
14 that I have asked him.

15 MR. DROGIN: Why don't we  
16 take a two-day break?  
17 Because it seems like we are  
18 going to be here for 48 hours  
19 arguing over this point. If  
20 you want to mark it for a  
21 ruling, we can mark it for a  
22 ruling and come back to it.  
23 It is not productive anymore  
24 to keep going in circles. He  
25 can't answer your question

1 M. TASCH

2 and you don't want him to  
3 answer a question that is  
4 material to the case, so why  
5 don't we just move forward or  
6 we can take this to the judge  
7 or you can, if you so choose?

8 MS. SLOAN: Okay. That  
9 is fine. The record is clear  
10 on his failure to answer the  
11 question that I asked.

12 MR. DROGIN: I am sorry.  
13 I didn't hear you. I am  
14 sorry. I didn't hear you.  
15 Could you just repeat what  
16 you said?

17 MS. SLOAN: I said that  
18 the record is clear that he  
19 has failed to answer the  
20 question that I have asked.

21 A. I don't understand the  
22 question that you asked. So there  
23 is no failure to answer.

24 MS. JACOBS: Can I make a  
25 suggestion?

1 M. TASCH

2 MS. SLOAN: Sure.

3 MS. JACOBS: Why don't  
4 you ask him whether he ever  
5 reported to Mr. De Niro any  
6 charge that he questioned?  
7 My problem is the word  
8 suspicious.

9 MS. SLOAN: To be clear,  
10 in one of the questions I  
11 asked, I focused on -- I took  
12 out the word suspicious. The  
13 record will show that he has  
14 refused to answer multiple  
15 versions of this question.

16 (Simultaneous speaking)

17 Q. Mr. Tasch, did you report  
18 to Mr. De Niro any concerns about  
19 Ms. Robinson's expenditures before  
20 her employment ended?

21 A. I don't understand the  
22 question.

23 Q. Okay.

24 MS. SLOAN: The record is  
25 clear.

1 M. TASCH

2 Q. During the past decade --  
3 actually, strike that.

4 During the past decade,  
5 would Berdon review Canal's petty  
6 cash records?

7 A. I don't understand the  
8 question.

9 Q. During Ms. Robinson's  
10 employment, would Berdon review  
11 Canal's -- excuse me. Let me  
12 rephrase that.

13 During Ms. Robinson's  
14 employment, were petty cash records  
15 submitted to Berdon?

16 A. Yes.

17 Q. Would -- during Ms.  
18 Robinson's employment, would Berdon  
19 review those petty cash records?

20 MR. DROGIN: Objection to  
21 the form. Again, and I want  
22 it noted, every time you ask  
23 a question about Berdon, you  
24 are exceeding the scope of  
25 the purpose of this

1 M. TASCH

2 deposition. He was brought  
3 here to testify based on his  
4 personal knowledge. He can  
5 not bind Berdon.

6 Q. During Ms. Robinson's  
7 employment, would you review Canal's  
8 -- Canal's petty cash records?

9 A. I don't understand the  
10 question.

11 Q. So you just testified that  
12 petty cash records would be  
13 submitted to Berdon during Ms.  
14 Robinson's employment. And my  
15 question is, would you review those  
16 records?

17 A. I don't understand the  
18 question.

19 Q. What part of the question  
20 don't you understand?

21 A. That is for you to figure  
22 out.

23 MR. DROGIN: Can I -- Ms.  
24 Sloan --

25 MS. SLOAN: Mr. Drogin,

1 M. TASCH

2 please.

3 MR. DROGIN: I am trying  
4 to help by suggesting that we  
5 take a five-minute break  
6 because this is not helpful.  
7 And none of us want to see  
8 time wasted here. Let's try  
9 to straighten this out.

10 MS. SLOAN: That is fine.  
11 Let's take a five-minute  
12 break.

13 THE VIDEOGRAPHER: The  
14 time is 11:35 a.m. We are  
15 off the record.

16 (Whereupon, a recess was  
17 taken at this time.)

18 THE VIDEOGRAPHER: The  
19 time is 11:44. We are back  
20 on the record.

21 MS. JACOBS: First of  
22 all, and I don't want to  
23 forget this because I forgot  
24 it after the last break, Mr.  
25 Tasch has remembered another

1 M. TASCH

2 case that he was a witness in  
3 or he gave testimony and he  
4 didn't include that in his  
5 earlier answer so he is  
6 prepared to talk about that.

7 The problem that I think  
8 we are having now is that we  
9 have got questions that  
10 reflect a term of art to an  
11 accountant. Review,  
12 statement. Statement means  
13 different things from a  
14 lawyer to an accountant, as  
15 just one example. And so  
16 while Mr. Tasch keeps saying  
17 he doesn't understand the  
18 question, he really cannot  
19 answer until he understands  
20 what -- whether you mean the  
21 term of art, or whether you  
22 mean it in the vernacular.  
23 He is becoming very  
24 frustrated, obviously,  
25 because of that. I am going



1 M. TASCH

2 to suggest that to the extent  
3 the questions can be as clear  
4 as possible, I think you will  
5 get better answers than you  
6 have been getting, or more  
7 useful answers. But they --  
8 they need to be -- they need  
9 to be crafted carefully so he  
10 knows what you are asking.

11 MS. SLOAN: Okay. Thank  
12 you, Ms. Jacobs. And the  
13 term review, is intended in  
14 its plain meaning, and not  
15 based on any term of art in  
16 accounting.

17 MS. JACOBS: Thank you.

18 Q. Mr. Tasch, during Ms.  
19 Robinson's employment, what did  
20 Berdon do with the petty cash sheets  
21 that it received from Canal?

22 A. When we received the  
23 sheets, we would look at them. They  
24 were rarely timely, so it didn't  
25 have a lot of meaning at the end of

1 M. TASCH  
2 the day. But mostly it was used for  
3 when we were booking the journal  
4 entries for the American Express or  
5 the -- the petty cash receipts, it  
6 just gave us a better general idea  
7 of where to book the expenses.

8 So to give you an example,  
9 if we gave them \$100.00, they would  
10 send receipts for \$100.00, and we  
11 would book the \$100.00 according to  
12 the receipt that they sent.

13 Q. What is the journal entry  
14 you are referring to?

15 A. In other words, if we gave  
16 generally -- I don't know who is  
17 going to understand, but I will tell  
18 you how it works. So you credit the  
19 bank account for \$100.00, you debit  
20 petty cash. We are never going to  
21 put that on a tax return because it  
22 is not, quote unquote, "a legitimate  
23 expense." So we just leave it on  
24 the P&L, and when we got the  
25 receipts -- and I will make it up.

1 M. TASCH

2 We got \$100.00 for office expenses,  
3 we credit petty cash, wipe out the  
4 word petty cash, and then we would  
5 put it into office expense.

6 Q. Okay.

7 And who from Canal would  
8 submit the petty cash sheets?

9 A. Michael Kaplan.

10 Q. Okay.

11 And would Michael Kaplan  
12 also submit receipts with the petty  
13 cash sheets?

14 A. When he could.

15 Q. How often would you receive  
16 the petty cash sheets from Mr.  
17 Kaplan?

18 A. Generally, we almost all  
19 the time got it after the year end,  
20 usually maybe February or March of  
21 the following year.

22 Q. So in February or March of  
23 the following year, you would  
24 receive the petty cash sheets and  
25 receipts for the entire prior

1 M. TASCH

2 calendar year?

3 A. Generally correct.

4 Q. And Mr. Kaplan was the  
5 point of contact at Canal with  
6 respect to petty cash?

7 A. Yes.

8 Q. And he was the employee at  
9 Canal who managed Canal's petty  
10 cash, correct?

11 A. I'm not sure I understand  
12 the question.

13 Q. He was the employee at  
14 Canal who oversaw Canal's petty  
15 cash, correct?

16 MR. DROGIN: Objection to  
17 the form.

18 A. Again, the question --  
19 listen, I understand where you are  
20 going. The terminology is a little  
21 incorrect in my mind.

22 Q. And what term would you  
23 use?

24 A. Well, you say did he manage  
25 the petty cash? I am just not sure

1 M. TASCH

2 what that means that you are asking.

3 Q. What was Michael Kaplan's  
4 role with petty cash -- with respect  
5 to petty cash?

6 A. His general role was to ask  
7 for petty cash. I would get an  
8 e-mail generally, "Hey, Michael, can  
9 you send out 2,000 or 2,500 for  
10 petty cash? We need it around the  
11 office."

12 Q. Okay.

13 A. Once it got there, I am not  
14 sure who managed it or who did what  
15 with it.

16 Q. Okay.

17 But he was the person that  
18 submitted all the sheets and  
19 receipts to, you, correct?

20 A. Generally correct, yes.

21 Q. So that was another part of  
22 his role, correct?

23 A. Yes.

24 Q. And did you understand how  
25 he came to be the person with those

1 M. TASCH

2 sheets and receipts?

3 A. No. I think when we got  
4 Mr. De Niro as an account, I think  
5 either he just got into the role or  
6 he was already in the role.

7 Q. Okay.

8 And so what review process  
9 would you undertake with respect to  
10 the petty cash sheets and receipts?

11 A. Again, just for the record,  
12 you are using the word review, and  
13 it has a different terminology to me  
14 than --

15 Q. Understood.

16 A. It is hard for me to answer  
17 the question.

18 Q. I understand, Mr. Tasch.

19 I am using the word  
20 generally according to its plain  
21 meaning. So when you -- when you  
22 would receive the petty cash sheets  
23 and receipts, what exactly did you  
24 do with them?

25 A. Well, again, we looked at

1 M. TASCH

2 them obviously because we were  
3 trying to do a journal entry, so we  
4 needed to know what categories to  
5 place the expenses in.

6 Q. And how much time would you  
7 spend looking at them?

8 A. You know what, I really  
9 don't know because the bookkeepers  
10 really took care of that -- that  
11 part.

12 Q. Okay.

13 And did you give the  
14 bookkeepers any instructions on what  
15 to do when they were looking at the  
16 petty cash sheets and receipts?

17 A. Generally, no.

18 Q. Does Berdon have a record  
19 of how it categorized petty cash  
20 expenses?

21 MR. DROGIN: Objection to  
22 the form. You can answer it.

23 A. Okay. I am just not sure  
24 what you mean by a record. As I  
25 explained to you, we got the

1 M. TASCH

2 receipts and we made a journal  
3 entry.

4 Q. And besides the journal  
5 entry, was there any other way that  
6 you recorded the categories of  
7 expenses?

8 A. No.

9 Q. Okay.  
10 So the journal entry is the  
11 record?

12 A. Yes.

13 Q. And you were generally  
14 familiar with Canal's petty cash  
15 expenditures, correct?

16 MR. DROGIN: Objection to  
17 the form.

18 MS. SLOAN: Let me  
19 rephrase because it sounds  
20 like --

21 Q. You were generally familiar  
22 with the expenses that appeared on  
23 Canal's petty cash sheets, correct?

24 A. Again, kindly, I am going  
25 to ask that I am not understanding



1 M. TASCH

2 the question, per se.

3 Q. Okay.

4 You were generally familiar  
5 with the items and the -- that would  
6 -- that would appear on the petty  
7 cash sheets that you received from  
8 Canal?

9 A. When you say, "familiar,"  
10 once the petty cash went to Canal,  
11 they used it for what they saw fit,  
12 and they gave us the receipts and we  
13 booked a journal entry. That is the  
14 nature of the transaction.

15 Q. But -- okay.

16 Did you review the receipts  
17 that corresponded with the petty  
18 cash sheets?

19 A. Did I personally review the  
20 receipts?

21 Q. Yes.

22 A. No.

23 Q. And when -- can you  
24 describe the petty cash sheets that  
25 we are talking about?

1 M. TASCH

2 A. I believe generally Michael  
3 would send an Excel spreadsheet.

4 Q. And what did that Excel  
5 spreadsheet show?

6 A. It showed the petty cash  
7 receipts.

8 Q. Okay.  
9 So did it show a list of  
10 expenses that were --

11 A. Yes.

12 Q. Okay.

13 And so you would review --  
14 you would look at the Excel  
15 spreadsheet, correct?

16 A. Correct.

17 Q. And so from looking at that  
18 Excel spreadsheet, you were familiar  
19 with the types of expenses that  
20 Canal employees would use petty cash  
21 to buy, correct?

22 A. Well, again, when you say,  
23 "familiar," as far as I am concerned  
24 with the petty cash, it was used for  
25 expenditures around the office. I

1 M. TASCH

2 -- it is hard for me to say who  
3 really designated or approved it. I  
4 don't know if it was Michael in some  
5 cases or Chase in some cases. But  
6 as far as I knew, the other  
7 employees were not allowed to go in  
8 unless they were requested to do so.

9 So in other words, if they  
10 had to run out for something and  
11 needed \$20.00 or \$15.00, I would  
12 think -- I thought that they would  
13 ask permission.

14 Q. And to your knowledge, what  
15 types of expenses generally appeared  
16 on Canal's petty cash sheets?

17 A. It could have been office,  
18 it could have been meals, coffee,  
19 sometimes supplies, stuff like that.

20 Q. Did -- did Berdon -- excuse  
21 me.

22 Did Berdon maintain records  
23 of the petty cash receipts that were  
24 submitted to it?

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form.

3 A. Again, I'm not sure of the  
4 question or what you are asking.

5 Q. What would Berdon do --

6 A. Did we keep the back up?

7 Q. What would Berdon do with  
8 the petty cash receipts that it  
9 received?

10 A. It became part of the books  
11 and records.

12 Q. And so the petty cash  
13 receipts that were submitted to  
14 Berdon, Berdon still has those  
15 receipts?

16 MR. DROGIN: Objection to  
17 the form.

18 A. We have some. We -- you  
19 know, we only keep a certain level  
20 of years for records. So I'm not  
21 sure how far it would go back.

22 Q. Do you have a sense of how  
23 far you keep the records -- the  
24 receipts for?

25 A. I think -- I think our

1 M. TASCH

2 policy might be seven years.

3 Q. Would you ever review any  
4 -- any petty cash expenses with Mr.  
5 De Niro?

6 A. Generally not.

7 Q. Would you ever review petty  
8 cash expenses with Mr. De Niro?

9 A. Not to my knowledge.

10 Q. And would you ever review  
11 the petty cash expenses with anyone  
12 that worked for Canal or for Mr. De  
13 Niro?

14 A. We would speak to Michael  
15 about those for the most part. If  
16 we had questions or maybe Michael  
17 didn't know, then we would speak to  
18 Chase.

19 Q. What types of questions  
20 would you have about the petty cash  
21 records?

22 A. Well -- did somebody say  
23 something?

24 Q. I just said -- I will  
25 rephrase. You can answer the

1 M. TASCH

2 question.

3 A. Would you mind restating --  
4 re-asking it again?

5 Q. That is fine.

6 I said what type of  
7 questions would you have about the  
8 petty cash expenses?

9 A. Probably a general question  
10 if my recollection is -- is correct  
11 is -- a lot of -- there were times  
12 that there might have been expenses  
13 that were personal and not business.  
14 Not for the employees, but maybe for  
15 Mr. De Niro. I maybe needed more  
16 clarification on that, as to whether  
17 to book it on Canal's books or as a  
18 personal expense to Mr. De Niro.

19 Q. Okay.

20 During the time when Ms.  
21 Robinson was employed by Canal, did  
22 you ever report a concern to Mr. De  
23 Niro or anyone else about any petty  
24 cash charges by Ms. Robinson?

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form. Can we hear the  
3 question back?

4 MS. SLOAN: Paige, can  
5 you repeat it?

6 (Whereupon, the requested  
7 portion was read back by the  
8 reporter:

9 Q: During the time when  
10 Ms. Robinson was employed by  
11 Canal, did you ever report a  
12 concern to Mr. De Niro or  
13 anyone else about any petty  
14 cash charges by Ms.  
15 Robinson?)

16 A. Not that I recall.

17 Q. Okay.

18 Would Berdon review --  
19 would Berdon review any other  
20 financial records of Canal?

21 MR. DROGIN: Objection to  
22 the form.

23 A. I don't understand that  
24 question.

25 Q. Okay.

1 M. TASCH

2 I will strike that  
3 question.

4 A. Okay.

5 Q. During the time when Ms.  
6 Robinson was employed by Canal, did  
7 you ever report a concern to Mr. De  
8 Niro or anyone else about any credit  
9 card charges by Ms. Robinson?

10 A. Not that I recall.

11 Q. Did Berdon process payroll  
12 for Canal?

13 MR. DROGIN: Objection to  
14 the form.

15 A. I think we went through  
16 this already, no?

17 Q. We did discuss some aspects  
18 of Berdon's role with respect to  
19 payroll.

20 A. But you did ask  
21 specifically if we processed payroll  
22 before.

23 Q. I apologize. Can you  
24 answer the question again?

25 A. The question is -- the



1 M. TASCH

2 answer is no. But let me just take  
3 a step back. You have to define for  
4 me process. We don't process  
5 payroll for Canal. That is done by  
6 a payroll company.

7 Q. And did -- when Ms.  
8 Robinson was employed by Canal, did  
9 Berdon have any role with respect to  
10 the processing of Canal's payroll?

11 A. Well, again, I will help  
12 you out here because I don't think  
13 you are asking the right question.  
14 But as we discussed this morning,  
15 Chase would send -- when the  
16 employees would work overtime, she  
17 would send me an e-mail saying they  
18 worked overtime, and we did call in  
19 to payroll the overtime.

20 Q. Okay.

21 Did Berdon -- when Ms.  
22 Robinson was employed by Canal, did  
23 Berdon oversee payroll expenses?

24 MR. DROGIN: Objection to  
25 the form.

1 M. TASCH

2 A. Ms. Sloan, I am not sure I  
3 understand the question.

4 Q. Did -- okay.

5 Did -- when Ms. Robinson  
6 was employed by Canal, did Berdon  
7 monitor amounts paid to employees  
8 through the payroll?

9 MR. DROGIN: Objection to  
10 the form.

11 A. The answer is no.

12 Q. During the time when Ms.  
13 Robinson was employed by Canal, did  
14 you ever report a concern to Mr. De  
15 Niro or anyone else about any  
16 payroll payments to Ms. Robinson?

17 A. No.

18 Q. Okay.

19 Mr. Tasch, we are going to  
20 share another document in the chat.  
21 And let's see if this time it works  
22 for everyone to open it in the chat.  
23 This document was previously marked  
24 as Plaintiff's Exhibit 122. It is  
25 Bates stamped Canal 0001844. It

1 M. TASCH

2 should come up shortly.

3 A. It did it again. The same  
4 thing comes up as what came up  
5 before.

6 MS. JACOBS: Yeah. Same.

7 MS. SLOAN: Do you have  
8 an option to save it to your  
9 computer?

10 MS. JACOBS: It is a  
11 whole file. It is like a  
12 system file. System 32. It  
13 is large.

14 MS. SLOAN: Let's go --

15 MS. JACOBS: None --

16 MS. SLOAN: Let's go off  
17 the record while we  
18 troubleshoot this, please.

19 THE VIDEOGRAPHER: The  
20 time is 12:03 p.m. We are  
21 off the record.

22 (Whereupon, a recess was  
23 taken at this time.)

24 THE VIDEOGRAPHER: The  
25 time is 12:13 p.m. We are

1 M. TASCH

2 back on the record.

3 Q. This was previously marked  
4 as Plaintiff's Exhibit 122. And Mr.  
5 Tasch, if you could please look --  
6 read through this e-mail on the  
7 screen. You can see it, correct?

8 A. Yes, I can see it.

9 MS. JACOBS: I just also  
10 messengered it to you,  
11 Michael, if that helps.

12 THE WITNESS: I did hear  
13 a click on my phone.

14 MR. DROGIN: It is a good  
15 thing your phone is on.

16 THE WITNESS: Exactly.

17 Q. Mr. Tasch, do you recognize  
18 this e-mail?

19 A. I recognize it now.

20 Q. In this e-mail, Mark  
21 Bosswick wrote, "We will be  
22 reimbursing her for some  
23 out-of-pocket business expenses. I  
24 have discussed this with Bob." And  
25 the her he says, he is referring to

1 M. TASCH

2 Ms. Robinson, correct?

3 A. Yes.

4 Q. Prior to July 2017, what  
5 out-of-pocket business expenses was  
6 Ms. Robinson authorized to be  
7 reimbursed for?

8 A. None that I know of.

9 Q. From July 2017 onward, what  
10 out-of-pocket business expenses was  
11 Ms. Robinson authorized to be  
12 reimbursed for?

13 A. I don't recall.

14 Q. So the -- in the e-mail  
15 when it refers to some out-of-pocket  
16 business expenses, do you know what  
17 that -- what business expenses that  
18 is referring to?

19 A. Do not.

20 Q. Did Mr. Bosswick  
21 communicate to you what expenses Ms.  
22 Robinson was authorized to be  
23 reimbursed for?

24 A. Not that I recall.

25 MR. DROGIN: Just so the

1 M. TASCH

2 record is clear, the word  
3 authorize does not appear  
4 anywhere here.

5 Q. So he may have discussed  
6 with you, but you don't recall  
7 either way?

8 A. He might have discussed  
9 that with me.

10 Q. The out-of-pocket business  
11 expenses that Ms. Robinson was  
12 entitled to?

13 A. I don't recall.

14 Q. Okay.

15 During Ms. Robinson's  
16 employment, was it your  
17 understanding that Mr. De Niro  
18 allowed Ms. Robinson to travel using  
19 SkyMiles generated by Canal's credit  
20 card?

21 A. I don't recall that at all.

22 Q. What -- what  
23 communications, if any, did Mr. De  
24 Niro have with you about Ms.  
25 Robinson using SkyMiles generated by

1 M. TASCH

2 Canal's credit card?

3 A. I don't recall having a  
4 conversation with Bob about that.

5 Q. Okay.

6 For a long time though,  
7 Berdon would transfer SkyMiles to  
8 Ms. Robinson from time to time for  
9 her to use for travel, correct?

10 MS. JACOBS: Objection to  
11 the form. Go ahead.

12 A. I do know there were miles  
13 transferred. I don't remember if  
14 they were transferred to Chase to  
15 use, or to Bob's account to use.

16 Q. But you do recall miles  
17 being transferred out of one account  
18 into another account that Berdon was  
19 involved with, correct?

20 A. When you say, "Berdon was  
21 involved with," I don't understand  
22 that.

23 Q. Okay. Let me rephrase.

24 Tell me everything that you  
25 recall about miles transfers?

1 M. TASCH

2 A. You have to be more  
3 specific. You are asking a general  
4 question.

5 Q. You -- you remember that  
6 Berdon would transfer miles to  
7 another account, correct?

8 A. Okay. Let's be clear. You  
9 keep using the word Berdon. Okay?  
10 We don't make these decisions. They  
11 are made for us.

12 Q. I am not asking about the  
13 making --

14 A. You asked if Berdon did  
15 this. That is a direct question  
16 about Berdon.

17 Q. Yes. Okay.

18 Did -- did you or any  
19 Berdon employee transfer miles?

20 A. Can you be more specific?

21 Q. During Ms. Robinson's  
22 employment, Berdon employees would  
23 transfer SkyMiles to Ms. Robinson's  
24 account from time to time, correct?

25 A. I don't know that to be



1 M. TASCH

2 correct.

3 Q. Okay.

4 So what do you know about  
5 miles transfers that Berdon  
6 employees would -- would do during  
7 Ms. Robinson's employment?

8 A. What is the specific  
9 question?

10 Q. I am asking about your  
11 recollection about during Ms.  
12 Robinson's employment, about Berdon  
13 employee's involvement in  
14 transferring miles?

15 A. Could you be more specific,  
16 please?

17 Q. Are there specific miles  
18 transfers that you are thinking of  
19 right now?

20 A. You need to be more  
21 specific.

22 Q. Did there come a time when  
23 Berdon employees took steps so that  
24 Ms. Robinson could transfer points  
25 herself, so that she could book

1 M. TASCH

2 flights using SkyMiles?

3 A. Ms. Robinson, when she  
4 became co-manager of the American  
5 Express account, had full authority  
6 to do whatever she wanted.

7 Q. And when was that?

8 A. To my -- if my recollection  
9 is correct, maybe early '18.

10 Q. How often would miles be  
11 transferred for Canal's account?

12 A. I don't recall.

13 MS. SLOAN: And Mr.

14 Drogin, you can stop screen  
15 sharing. Thank you.

16 Q. Do you recall a period of  
17 time when there was an issue that  
18 prevented Canal's American Express  
19 SkyMiles from being transferred to  
20 Ms. Robinson's account?

21 A. I don't remember that.

22 Q. Okay.

23 We are going to share --  
24 okay. Well --

25 MS. SLOAN: Jeremy, have

1 M. TASCH

2 you e-mailed the exhibits or  
3 is this --

4 MR. MARGOLIS: Jane, did  
5 you receive the subsequent  
6 exhibit that I sent you?

7 MS. JACOBS: Yeah. I  
8 just opened it. Five  
9 documents?

10 MR. MARGOLIS: Yes.

11 MS. JACOBS: Michael, I  
12 got an auto reply from you  
13 saying that I --

14 THE WITNESS: An auto  
15 reply?

16 MS. SLOAN: Let's go off  
17 the record.

18 THE VIDEOGRAPHER: The  
19 time is 12:21 p.m. We are  
20 going off the record.

21 (Whereupon, a recess was  
22 taken at this time.)

23 THE VIDEOGRAPHER: The  
24 time is now 12:32 p.m. We  
25 are back on the record.

1 M. TASCH

2 Q. Mr. Tasch, we shared in the  
3 chat Plaintiff's Exhibit 133, which  
4 is Bates stamped Canal 20631.

5 Do you see this e-mail?

6 A. I do.

7 Q. Dated January 19, 2018?

8 A. I do.

9 Q. Do you recognize this  
10 e-mail?

11 A. I recognize it now.

12 Q. In January of 2018, Ms.  
13 Robinson was unable to transfer  
14 points generated by Canal credit  
15 cards into her SkyMiles account, is  
16 that correct?

17 A. That is what the e-mail  
18 says.

19 Q. Do you recall that  
20 happening?

21 A. Nope.

22 Q. So you don't recall what  
23 the problem was that prevented her  
24 from transferring points?

25 A. I do not.

1 M. TASCH

2 Q. Do you recall if Mr. De  
3 Niro was informed about this issue?

4 A. He was not informed by me.

5 Q. Do you recall if he was  
6 informed by anyone about this issue?

7 A. I can't answer that  
8 question.

9 Q. Well, to your knowledge, do  
10 you -- did you -- let me rephrase.

11 Did you ever communicate  
12 with Mr. De Niro about this issue?

13 A. No. Well, let me just  
14 rephrase myself. I don't recall  
15 that I did.

16 Q. Okay.

17 So you -- do you recall any  
18 discussions that you had with Mr. De  
19 Niro about Ms. Robinson accessing  
20 SkyMiles?

21 A. Not that I recall.

22 Q. We are going to share in  
23 the chat another document. That was  
24 --

25 A. Can I get out of this one?

1 M. TASCH

2 Q. Yes. You can X out of  
3 that, and Jeremy is going to share  
4 another document. This was  
5 previously marked as Plaintiff's  
6 Exhibit 18. This is Canal 0045358  
7 through 45360. And he hasn't sent  
8 it yet, but I will tell you when you  
9 should be able to see it. Okay.  
10 You should be able to see that.

11 A. Okay. Looks like a new one  
12 just came through.

13 Q. Perfect. If you could save  
14 that one, like you did the last one,  
15 and open it up.

16 A. So that screen appears with  
17 the desktop, so I assume if I just  
18 hit save again I should get the same  
19 result?

20 MS. JACOBS: Yes. Except  
21 that it didn't pop up. I am  
22 going to my desktop now to  
23 find it.

24 MS. SLOAN: We will  
25 probably give it a few more

1 M. TASCH

2 seconds, and if not we can go  
3 off the record.

4 Q. But, Mr. Tasch, do you see  
5 the exhibit?

6 A. I see an exhibit.

7 Q. Let's see. It is an  
8 e-mailed, dated January 22, 2018?

9 A. It is from Michael Kaplan?

10 Q. Yes.

11 A. Okay.

12 Q. Okay.

13 MS. JACOBS: Give me one  
14 second, please.

15 MS. SLOAN: Okay. No  
16 problem.

17 MS. JACOBS: Okay. Thank  
18 you.

19 Q. Okay.

20 Do you recognize this  
21 e-mail or this exchange of e-mails?

22 A. I really don't recall. It  
23 is the same answer. I recognize it  
24 now. I don't recall it from back  
25 then now.

1 M. TASCH

2 Q. And in this e-mail, do you  
3 see that on January 22, 2018, you  
4 wrote, "She told me she had the  
5 Delta account that she wanted the  
6 miles transferred to?"

7 A. Yes.

8 Q. And do you see that Mr.  
9 Kaplan responded, in part, that he  
10 had no idea if she still uses Bob's  
11 miles for herself.

12 Do you see that?

13 A. I do see that, yes.

14 Q. And this e-mail is about  
15 Ms. Robinson, correct?

16 MR. DROGIN: Objection to  
17 the form. The e-mail speaks  
18 for itself. You can answer  
19 it, Michael.

20 A. Okay. Listen, I am going  
21 to make an assumption here. Her  
22 name is not here, but --

23 Q. But you think this is about  
24 Ms. Robinson, correct?

25 A. I do.



1 M. TASCH

2 Q. Okay.

3 And these e-mails were sent  
4 during the time in which Ms.  
5 Robinson was unable to transfer  
6 points, is that correct?

7 MR. DROGIN: Objection.

8 You can answer.

9 A. It appears so.

10 Q. Okay.

11 Did you understand what Mr.  
12 Kaplan meant when he said that she  
13 still uses Bob's miles?

14 A. No, not at the time.

15 Q. What did -- do you recall  
16 what you thought at the time Mr.  
17 Kaplan meant when he said, "She  
18 still uses Bob's miles?"

19 A. I don't recall.

20 Q. Did you subsequently come  
21 to an understanding about Ms.  
22 Robinson's use of SkyMiles?

23 A. I don't recall.

24 Q. Did -- Canal employees  
25 understood that Ms. Robinson was

1 M. TASCH

2 authorized to use reward points  
3 generated by the Canal credit card,  
4 correct?

5 MR. DROGIN: Objection.

6 You are asking if he knows  
7 what other people understood?  
8 Can we just clarify that?

9 MS. SLOAN: Okay. I will  
10 clarify.

11 MR. DROGIN: Okay. Thank  
12 you.

13 Q. Was it your understanding  
14 that Ms. Robinson was authorized to  
15 use reward points generated by Canal  
16 credit cards to purchase flights?

17 A. That I was -- I had no  
18 understanding of that at all.

19 Q. I think you cut out.

20 A. I had no understanding of  
21 that at all.

22 Q. The Canal American Express  
23 credit card statements that Berdon  
24 employees reviewed each month showed  
25 when points had been transferred,

1 M. TASCH

2 correct?

3 A. I don't recall. And again,  
4 I am objecting to the word review.

5 Q. Did you have any  
6 understanding either way about  
7 whether Ms. Robinson was authorized  
8 to use reward points generated by  
9 Canal credit cards to generate  
10 points?

11 A. I did not. I'm sorry, you  
12 didn't finish. So if you didn't  
13 hear me, I did not.

14 Q. Thank you.

15 The Canal American Express  
16 credit card statements that Berdon  
17 looked at showed when flights were  
18 booked, correct?

19 A. If they were used -- if the  
20 American Express card was used, yes,  
21 it would show that.

22 Q. And the American Express  
23 credit card statement that Berdon  
24 looked at showed when points had  
25 been transferred, correct?

1 M. TASCH

2 A. That, I don't recall.

3 Q. Were you generally aware of  
4 when points were transferred to Ms.  
5 Robinson's account?

6 MR. DROGIN: Objection to  
7 the form.

8 MS. JACOBS: Join.

9 A. I don't --

10 THE WITNESS: I'm sorry.  
11 Is somebody speaking?

12 MS. JACOBS: I just said,  
13 "join." Sorry.

14 A. I do not recall. Sorry.

15 Q. You don't recall, correct?

16 A. I don't recall.

17 Q. Okay.

18 During the time when Ms.  
19 Robinson was employed by Canal, did  
20 you ever report a concern to Mr. De  
21 Niro or anyone else about any  
22 transfer or usage of American  
23 Express points or Delta SkyMiles by  
24 Ms. Robinson?

25 A. Not that I recall.

1 M. TASCH

2 Q. Did you have any  
3 understanding of why Mr. De Niro  
4 wanted Ms. Robinson to have approval  
5 to transfer points?

6 MS. JACOBS: Objection to  
7 the form.

8 A. That one I am going to ask  
9 you, I don't really understand the  
10 question.

11 Q. Okay.

12 We are going to share in  
13 the chat a previously marked  
14 exhibit, Exhibit 128.

15 A. Can I get out of this one?

16 Q. Yeah. You can get out of  
17 this one.

18 Which is Bates stamped  
19 Canal 0001433 to 1437.

20 THE WITNESS: Jeremy, you  
21 are sending this now?

22 MS. JACOBS: It is going  
23 to show up in the chat I  
24 think.

25 MS. SLOAN: Yeah, he will

1 M. TASCH

2 send it momentarily.

3 A. I am just saying because I  
4 see it on the right side.

5 Q. I see it so it should be  
6 sending soon?

7 A. Let's see. Something just  
8 came through. Let's see if that is  
9 it.

10 Q. Do you see this -- are you  
11 looking at -- the top is an e-mail  
12 sent on March 5, 2018?

13 A. Yes.

14 Q. Okay. Great.

15 Do you recall Mr. De Niro  
16 communicating to you about wanting  
17 Ms. Robinson to be able to transfer  
18 points?

19 A. Do not.

20 Q. You don't recall?

21 A. Nope.

22 Q. Okay.

23 Do you recognize this  
24 e-mail -- this thread of e-mails?

25 A. I do now.

1 M. TASCH

2 Q. If you scroll down to the  
3 -- so does this refresh your  
4 recollection about whether Mr. De  
5 Niro communicated to you about  
6 wanting Ms. Robinson to be able to  
7 transfer points?

8 A. Well, Bob is asking a  
9 question, "Michael, why isn't this  
10 done?" I am not sure what that  
11 relates to, so --

12 Q. Let's --

13 MR. DROGIN: So the  
14 record is clear, this is an  
15 e-mail from Mr. De Niro to  
16 Chase Robinson, not to  
17 Michael Tasch.

18 THE WITNESS: Thank you,  
19 Laurent.

20 Q. Let's scroll down to the  
21 bottom of page one, which is Bates  
22 stamped 1433. And do you see an  
23 e-mail that Ms. Robinson sent you  
24 and CC'd Mr. De Niro, on March 5th,  
25 2018, in which she states, "I called

1 M. TASCH

2 AMEX, and they have told me I am  
3 still not authorized to transfer  
4 reward points?"

5 A. The one that says,  
6 "Michael, I just tried you in the  
7 office?"

8 Q. Correct. Underneath that  
9 it says what I just stated. And it  
10 continues, "This has been several  
11 months of going back and forth with  
12 this issue."

13 So you were trying to help  
14 Ms. Robinson so that she could  
15 transfer reward points to her  
16 account, correct?

17 A. I'm not sure what that is  
18 relating to.

19 Q. Okay.

20 If you -- did Mr. De Niro  
21 instruct you to fix this problem so  
22 that Ms. Robinson could transfer  
23 points generated by Canal credit  
24 cards to purchase her flights?

25 A. Not that I recall.



1 M. TASCH

2 Q. As you scroll up on the top  
3 of the page one?

4 A. Yes.

5 Q. You referred to it  
6 previously, you see that Mr. De Niro  
7 sent an e-mail saying, "Michael, why  
8 isn't this done?"

9 A. This is an e-mail to Chase?

10 Q. That is correct.

11 A. So I didn't get this  
12 e-mail, and I had no knowledge of  
13 it.

14 Q. Okay.

15 Did you ever speak -- did  
16 Mr. De Niro ever speak with you  
17 about fixing the problem so that --

18 A. Not that I recall.

19 MS. JACOBS: Let her  
20 finish.

21 Q. Do you recall speaking with  
22 Ms. Robinson for a period of weeks  
23 and months about fixing this issue?

24 A. I heard her whining about  
25 this for weeks and months.

1 M. TASCH

2 Q. And later, in 2018, do you  
3 recall another problem that  
4 prevented Ms. Robinson from using  
5 points generated by Canal's credit  
6 card?

7 A. Do not recall.

8 Q. Okay.

9 And so when you -- when Ms.  
10 Robinson was speaking with you about  
11 this issue, over weeks and months,  
12 what -- you communicated with her  
13 about the issue, sorry. Let me  
14 strike that.

15 What did you -- what were  
16 your discussions with Ms. Robinson  
17 with respect to the issue that was  
18 preventing her from transferring  
19 points?

20 A. I don't recall.

21 Q. So you remember that you  
22 spoke with her over a period of  
23 weeks and months, but you don't  
24 recall what occurred in those  
25 discussions?

1 M. TASCH

2 A. First of all, I'm not sure  
3 it is weeks and months because I  
4 don't recall that at all, and I knew  
5 we were having a problem getting her  
6 to be co-manager. That is the  
7 extent of what I remember.

8 MR. DROGIN: Counsel, can  
9 I just make what I think is a  
10 helpful observation? I think  
11 we are caught in a very  
12 narrow rut, and if you ask  
13 about co-manager I think you  
14 will get into the area that  
15 you want.

16 MS. SLOAN: Okay.

17 MR. DROGIN: There is a  
18 differentiation between  
19 transferring miles and being  
20 a co-manager on the account.  
21 I think that is what the  
22 witness has just alluded to  
23 or not.

24 Q. What were your discussions  
25 with Ms. Robinson about becoming a

1 M. TASCH

2 co-manager on the account?

3 A. Well, it wasn't much a  
4 discussion. She wanted to become  
5 co-manager to take control of Bob's  
6 finances. So she persuaded him to  
7 get on the account and he asked me.

8 Q. Okay.

9 A. Excuse me. Can I finish?

10 Q. Yes. Sorry.

11 A. And he asked me to get it  
12 done.

13 Q. And did you discuss with  
14 her the transfer of points, the  
15 issue of her --

16 A. I really don't recall.

17 Q. Sometime in June --

18 A. I can't hear you.

19 Q. You are fine. I -- I  
20 stopped my question and I was  
21 thinking.

22 A. Okay.

23 MR. DROGIN: Just to  
24 close the loop so we don't  
25 get lost, I believe if you

1 M. TASCH

2 ask him whether the  
3 co-manager of the account has  
4 the authority to transfer  
5 miles, you will link the two,  
6 because that is what happened  
7 here. Co-manager could do  
8 that. You are treating them  
9 separately, but if you focus  
10 on co-manager, you will get  
11 into the question of  
12 transferring SkyMiles.

13 Q. So Mr. De Niro asked you to  
14 make Ms. Robinson a co-manager of  
15 the American Express account,  
16 correct?

17 A. He did.

18 Q. And when did that occur?

19 A. Again, I thought the  
20 conversation started in early '18.  
21 I don't remember the exact date when  
22 she got on as co-manager.

23 Q. Okay.

24 And Mr. De Niro understood  
25 that this would enable Ms. Robinson

1 M. TASCH

2 to transfer reward points to  
3 herself, correct?

4 MR. DROGIN: Objection.

5 A. You keep using --

6 MR. DROGIN: Objection to  
7 the form as to how he --

8 (Simultaneous speaking)

9 Q. As far as you were aware,  
10 Mr. De Niro understood that this  
11 would enable Ms. Robinson to  
12 transfer reward points to herself?

13 A. I don't understand -- I  
14 don't know what Mr. De Niro  
15 understood.

16 Q. But you understood at that  
17 time that when Ms. Robinson became a  
18 co-account manager she would -- that  
19 would enable her to transfer points  
20 to herself, correct?

21 A. So you keep sticking on the  
22 same matter. When she became  
23 co-manager, she could do whatever  
24 she wanted on that account.

25 Q. And that -- and you were --

1 M. TASCH

2 okay.

3 A. There is nothing more to  
4 say. That is the answer.

5 Q. Okay. Thank you.

6 Sometime in June or July of  
7 2018, did an issue arise involving  
8 the Canal American Express account  
9 being mistakenly linked to Robin  
10 Chambers' Social Security number?

11 A. I don't recall that.

12 Q. We are going to share a new  
13 exhibit in the -- in the chat. That  
14 will be Plaintiff's Exhibit 134.

15 (Whereupon, Plaintiff's  
16 Exhibit 134, Canal 3324 and  
17 Canal 3331 through 3333, was  
18 marked for identification, as  
19 of this date.)

20 A. Can I get out of this one?

21 Q. Yes, you can.

22 A. Okay.

23 Q. Okay.

24 MS. SLOAN: This one is

25 -- well, let's see when

1 M. TASCH

2 Jeremy sends it. It looks  
3 like we are still -- oh, here  
4 we go. There is a new  
5 exhibit in the -- in the  
6 chat. This is Exhibit 134.  
7 This is comprised of Canal  
8 3324 and Canal 3331 through  
9 3333 I believe.

10 Q. If you could just sort of  
11 scroll through the e-mail. Do you  
12 have them up?

13 A. I do. Do you want me to  
14 start all the way at the bottom or  
15 is there any particular one that you  
16 are more concerned with?

17 MS. JACOBS: Read the  
18 whole thing.

19 THE WITNESS: Read the  
20 whole thing? Okay.

21 Q. The last page is actually  
22 -- there is nothing on it. It looks  
23 like the first page is November 27,  
24 2018, and then that is one e-mail  
25 exchange, and the next one it is a



1 M. TASCH

2 different e-mail exchange. To be  
3 clear, that ranges from November  
4 28th through January 4th.

5 A. Got it. Okay.

6 Q. Okay. So you read it.

7 So do you recognize -- do  
8 you recognize these e-mails?

9 A. I do remember them. My  
10 belief is that they -- we no longer,  
11 I believe, had points I think  
12 associated with the card because  
13 they, excuse my language, F'd it up.

14 Q. When you say, "They F'd it  
15 up," who are you referring to?

16 A. American Express.

17 Q. So are these e-mails  
18 between you and Ms. Robinson  
19 detailing efforts to, you know, fix  
20 problems with the American Express  
21 accounts?

22 A. Yes. Yes.

23 Q. Okay.

24 And are these -- did these  
25 problems include the issue that

1 M. TASCH

2 prevented Ms. Robinson from  
3 transferring points to her account?

4 A. I don't know the answer to  
5 that. It would have to be an  
6 assumption, which I don't like to  
7 make.

8 Q. You spent a lot of time  
9 trying to fix this problem, correct?

10 A. Yes.

11 Q. You made a lot of phone  
12 calls to American Express trying to  
13 fix this problem?

14 A. Correct.

15 Q. Did you communicate with  
16 Mr. De Niro about getting this  
17 problem resolved?

18 A. I don't recall.

19 Q. Do you recall when this  
20 problem was eventually resolved?

21 A. I do not.

22 Q. Could it have been around  
23 January 4th or early January of 2019  
24 when these -- when the last e-mails  
25 in this --

1 M. TASCH

2 A. Well, looking at the last  
3 e-mail here that -- between Chase  
4 and I, again, you are asking  
5 potentially for me to make an  
6 assumption, I could say it did get  
7 fixed eventually after this date.

8 Q. And did this e-mail refresh  
9 your recollection about the issue  
10 where Ms. Chambers' Social Security  
11 number was attached --

12 A. It does not.

13 Q. On page two it references  
14 Robin's Social Security number?

15 A. Yes.

16 Q. During the time -- during  
17 -- when this issue was occurring,  
18 and when you were having to deal  
19 with the problems with the American  
20 Express account, substantial points  
21 were generated that Ms. Robinson had  
22 been unable to transfer to her  
23 account, right?

24 A. I'm not sure if I  
25 understand the question.

1 M. TASCH

2 Q. Were you aware that Ms.  
3 Robinson would resume transferring  
4 the points to her account once this  
5 was resolved?

6 A. Later on that year, I knew  
7 she transferred miles to her  
8 account.

9 Q. Okay.  
10 But during the time period  
11 of these e-mails, did you -- were  
12 you aware that she would resume  
13 transferring points once it was  
14 resolved?

15 A. I don't recall.

16 Q. Okay.  
17 We are going to share  
18 another document in the chat and  
19 this is previously introduced as  
20 Exhibit 100. This is comprised of  
21 Bates stamp Canal 0030806 through  
22 07. Let me know -- that has been  
23 sent, so let me know when you can  
24 open it and you can X out of the  
25 other one that you were in. Let me

1 M. TASCH

2 know when you are ready.

3 A. Okay. I do have it open.

4 Q. Okay.

5 And you see this is an  
6 e-mail from Michael Kaplan, on June  
7 3, 2019, in which you are CC'd?

8 A. Yes.

9 Q. Okay.

10 So this is an e-mail --  
11 let's see, do you see how -- have  
12 you read the e-mail? Have you  
13 reviewed it?

14 A. I am reading it now.

15 Q. I am really just going to  
16 focus on the sixth paragraph here,  
17 that begins with, "Perhaps Michael  
18 Tasch." Do you see that paragraph?

19 A. Yeah, I do.

20 Q. Okay.

21 So Ms. Chen asked you to  
22 help them better understand what  
23 employee expenses actually are. And  
24 asked you to tell them what should  
25 constitute employee expenses.

1 M. TASCH

2 Do you see that?

3 MR. DROGIN: Objection to  
4 the form.

5 A. I do.

6 Q. Did you have a  
7 conversations with Mr. Chen about  
8 employee expenses after this e-mail?

9 A. I do not recall.

10 Q. Did you have a conversation  
11 with anyone in the -- anyone in the  
12 Canal office about employee expenses  
13 after this point?

14 A. I don't recall.

15 Q. Did you have a conversation  
16 with anyone at all about employee  
17 expenses after this point?

18 A. I don't recall.

19 Q. What were the types of  
20 expenses that Canal employees were  
21 generally authorized to charge in  
22 2019?

23 MR. DROGIN: Objection to  
24 the form.

25 MR. BENNETT: This isn't

1 M. TASCH

2 the (b)(6) part, right? This  
3 is still the fact witness  
4 part?

5 MS. SLOAN: That is  
6 correct.

7 A. Can you repeat the  
8 question, please?

9 Q. Did you ask to repeat the  
10 question?

11 A. Yes.

12 MS. SLOAN: Paige, can  
13 you repeat that?

14 (Whereupon, the requested  
15 portion was read back by the  
16 reporter:

17 Q: What were the types  
18 of expenses that Canal  
19 employees were generally  
20 authorized to charge in  
21 2019?)

22 A. In 2019?

23 Q. Yes. At this point -- at  
24 the point of this e-mail?

25 A. In June of 2019?

1 M. TASCH

2 Q. Yes.

3 A. You know what, I will be  
4 honest with you, I'm not sure. I  
5 know we had conversations at some  
6 point in time just generally over  
7 new procedures and authorizations  
8 that we might want to put in place  
9 than was there before. We wanted  
10 more -- we wanted people to get  
11 permission to use the credit cards.  
12 And at one point also, and I am  
13 going into another area just for a  
14 second, we really wanted to stop the  
15 petty cash expense thing.

16 Q. What do you mean by, "the  
17 petty cash expense thing?"

18 A. I didn't want any petty  
19 cash going to Canal at all anymore.

20 Q. But before Ms. Robinson's  
21 employment ended, employees did not  
22 require specific permission to  
23 charge Canal's credit card, is that  
24 correct?

25 A. They -- you would have to



1 M. TASCH

2 ask Chase that question.

3 Q. Okay.

4 MS. SLOAN: I think that  
5 now is a good time to take a  
6 break for lunch. It is 1:01.  
7 Does reconvening at 1:30 work  
8 for everyone?

9 MR. DROGIN: It is good  
10 with me. I just ask that we  
11 get a report on the amount of  
12 time that we have been on the  
13 record.

14 THE VIDEOGRAPHER: The  
15 time is 1:01 p.m. We are off  
16 the record.

17 (Whereupon, a recess was  
18 taken at this time.)

19 THE VIDEOGRAPHER: The  
20 time is now 1:33. We are  
21 back on the record.

22 Q. Mr. Tasch, does Berdon  
23 maintain Canal's accounting records  
24 on an accounting software?

25 A. Yes.

1 M. TASCH

2 Q. And what is the name of  
3 that software?

4 A. You have to tell me what  
5 you are asking me a question about.

6 Q. Are there multiple  
7 softwares that Berdon maintains  
8 Canal's accounting records on?

9 A. Yes.

10 Q. What are the names of all  
11 of the softwares?

12 A. It is two things,  
13 QuickBooks and CCH.

14 Q. What is QuickBooks used  
15 for?

16 A. That is for the books and  
17 records, paying bills, keeping a  
18 ledger, and CCH is the tax program.

19 Q. Okay. Thank you.

20 What percentage equity  
21 interest does Mr. De Niro hold in  
22 Canal?

23 A. I'm sorry. Can you --  
24 excuse me. Can you repeat that,  
25 please?

1 M. TASCH

2 Q. Yeah.

3 What percentage equity  
4 interest does Mr. De Niro hold in  
5 Canal?

6 A. One hundred percent.

7 Q. How has Canal generated its  
8 income over the last decade?

9 A. From Mr. De Niro's acting  
10 services.

11 Q. What are Canal's sources of  
12 revenue that it receives on a  
13 regular basis each year?

14 A. Income from his acting  
15 services.

16 Q. And would that include  
17 commercials, movies, and other types  
18 of -- let me strike that.

19 What types of acting  
20 services does that include?

21 A. It is commercials and  
22 movies.

23 Q. Okay.

24 How much money does Canal  
25 make each year?

1 M. TASCH

2 MR. DROGIN: Objection to  
3 the form.

4 A. I don't understand the  
5 question.

6 Q. How much money did Canal  
7 make in 2019?

8 A. I don't understand the  
9 question.

10 MR. DROGIN: Objection to  
11 the form.

12 Q. What was Canal's income in  
13 2021?

14 MR. DROGIN: Objection to  
15 the form.

16 A. I do not know the answer  
17 to that question today.

18 Q. Sorry. Did you say that  
19 you do not know the answer to the  
20 question today?

21 A. I do not know the answer,  
22 correct.

23 Q. Do you know Canal's income  
24 in 2020?

25 A. No.

1 M. TASCH

2 MR. DROGIN: Objection to  
3 the form.

4 (Whereupon, a discussion  
5 was held off the record.)

6 MR. DROGIN: Can you  
7 define what you mean by  
8 income?

9 Q. Was Canal's -- is this  
10 better for everyone?

11 A. Yes.

12 MR. DROGIN: Depends what  
13 you are going to say?

14 Q. Was Canal's gross income in  
15 2020 [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

17 Q. Was Canal's gross income in  
18 2020 [REDACTED]

19 A. I didn't hear the last  
20 number.

21 Q. [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

24 A. No.

25 Q. Was Canal's -- so income --

1 M. TASCH

2 gross income in 2020 more than \$20  
3 million?

4 A. I'm not sure.

5 Q. Okay.

6 So more than \$10 million,  
7 maybe more than \$20 million,  
8 correct?

9 A. You didn't ask me about \$10  
10 million. You asked me about \$10  
11 million for '20.

12 Q. Let's make sure we are on  
13 the same page.

14 In 2020, was Canal's gross  
15 income more than \$15 million?

16 A. I don't recall.

17 Q. Okay.

18 And just to -- I am going  
19 to circle back to a question that I  
20 already asked.

21 MR. DROGIN: Asked and  
22 answered.

23 Q. Mr. Tasch, in 2020, was  
24 Canal's gross income [REDACTED]  
[REDACTED]

1 M. TASCH

2 A. Yes.

3 Q. How much does Mr. De Niro  
4 profit each year from his ownership  
5 in Canal?

6 MR. DROGIN: Objection to  
7 the form.

8 A. I don't recall.

9 Q. In 2019, was Canal's gross  
10 income more than \$10 million?

11 A. I don't recall.

12 MR. DROGIN: Objection to  
13 the form.

14 MR. BENNETT: Objection.

15 MR. DROGIN: Can you  
16 clarify? I am assuming that  
17 you are talking about a  
18 calendar year basis? The  
19 corporation may be on a  
20 different tax year. But you  
21 are talking on calendar year,  
22 correct?

23 MS. SLOAN: Yes.

24 Q. In 2018, was Canal's gross  
25 income more than \$10 million?

1 M. TASCH

2 A. I don't recall.

3 MR. DROGIN: Can we put  
4 on the record whether the  
5 calendar year is the same as  
6 the tax year for the  
7 corporation or should we  
8 leave that open?

9 Q. Do you recall the gross --  
10 if Canal's gross income was [REDACTED]  
11 [REDACTED] for any year prior  
12 to 2020?

13 MR. DROGIN: Objection to  
14 the form.

15 A. Repeat please?

16 Q. Sorry, Mr. Tasch?

17 A. Repeat please.

18 MS. SLOAN: Paige, can  
19 you repeat the question.

20 (Whereupon, the requested  
21 portion was read back by the  
22 reporter:

23 Q: Do you recall the  
24 gross -- if Canal's gross  
25 income was more than \$10



1 M. TASCH

2 million for any year prior to  
3 2020?)

4 A. I'm not sure I understand  
5 the question.

6 Q. You testified that in 2020  
7 Canal's gross income was more than  
8 do you recall the gross -- if  
9 Canal's gross income was [REDACTED]  
10 [REDACTED] for any year prior to  
11 2020?, correct?

12 A. Correct.

13 Q. Okay.

14 So then -- and then you  
15 said that you didn't recall for 2019  
16 or 2018.

17 Do you -- I will keep  
18 running through the years then.

19 To your recollection, was  
20 Canal's gross income less than do  
21 you recall the gross -- if Canal's  
22 gross income was more than \$10  
23 million for any year prior to 2020?  
24 In any year in the last decade?

25 A. I don't recall.

1 M. TASCH

2 Q. To your recollection, was  
3 Canal's gross income generally more  
4 than do you recall the gross -- if  
5 Canal's gross income was more than  
6 \$10 million for any year prior to  
7 2020? In the last -- in -- in the  
8 last decade?

9 MR. DROGIN: Objection to  
10 the form.

11 MS. SLOAN: Let me make  
12 sure -- I'm not sure I made  
13 that clear.

14 Q. To your recollection, was  
15 Canal's gross income generally more  
16 than \$10 million per year in the  
17 last decade?

18 A. I don't recall.

19 Q. What method of accounting  
20 does Canal employ?

21 A. Cash method.

22 Q. Over the past decade, has  
23 Berdon prepared Canal's tax returns  
24 every year?

25 A. And what is the timeframe?

1 M. TASCH

2 Q. Over the past decade?

3 A. So from 2012 on?

4 Q. Yes.

5 A. Yes.

6 Q. Over the past decade, would  
7 you, personally, prepare Canal's tax  
8 returns?

9 A. No.

10 Q. Which Berdon employees were  
11 involved in preparing Canal's tax  
12 returns?

13 A. There were multiple  
14 employees.

15 Q. And are they -- do you have  
16 any names in mind?

17 A. Do you really need to know  
18 any name that worked on his account?

19 Q. We will focus on --

20 A. If you have a direct  
21 question, why don't you ask it?

22 Q. Did you have any  
23 involvement in preparing Canal's tax  
24 returns?

25 A. What does that mean?

1 M. TASCH

2 Q. Did you -- were you  
3 involved, in any way, in the  
4 preparation of Canal's tax returns?

5 A. No.

6 Q. Was Mark Bosswick involved  
7 in preparing Canal's tax returns?

8 A. No.

9 Q. Were the Berdon employees  
10 that we spoke about earlier in this  
11 deposition involved in the  
12 preparation of Canal's tax returns?

13 MR. DROGIN: Objection to  
14 the form. Vague.

15 Q. You should still answer.

16 A. I don't know who you are  
17 referring to.

18 Q. You mentioned four  
19 employees earlier. But I will just  
20 -- I will -- I will rephrase the  
21 question.

22 Who at Berdon prepared Mr.  
23 De Niro's -- sorry. Excuse me.

24 Who at Berdon prepared  
25 Canal's tax returns?

1 M. TASCH

2 A. There are various employees  
3 that do that. Why is that needed to  
4 know? I don't understand. What  
5 does that have to do with anything?

6 Q. Okay.

7 Could you please name the  
8 Berdon employees who were involved?

9 A. I am not going back over  
10 ten years to name employees.

11 Q. So between 2017 and 2019 --  
12 since 2017, so over the past five  
13 years we will say, who are the  
14 employees at Berdon who prepared  
15 Canal's tax returns?

16 A. I don't recall.

17 Q. You don't recall any of the  
18 Berdon employees over the last five  
19 years who prepared --

20 (Simultaneous speaking)

21 A. I only recall one person  
22 right now.

23 Q. And who is that?

24 A. You need to know that why?

25 MR. DROGIN: It is okay.

1 M. TASCH

2 You can answer the question.

3 A. Fine. Sarah Berstein (ph).

4 Q. And how long has Sarah

5 Berstein prepared Canal's tax

6 returns?

7 A. I believe this is the

8 second year.

9 Q. Since you began in 2021?

10 A. Probably '20.

11 Q. Have you ever been involved

12 in preparing Canal's tax returns?

13 A. You asked me that question

14 already and the answer was no.

15 Q. Who was involved in

16 preparing Canal's tax returns from

17 2017 to 2019?

18 A. I don't recall.

19 Q. Did you review Canal's tax

20 returns?

21 A. Yes.

22 Q. And have you reviewed

23 Canal's tax returns over the past

24 decade?

25 A. I'm not sure I understand

1 M. TASCH

2 the question.

3 Q. Have you reviewed Canal's  
4 tax returns in every year in the  
5 past decade?

6 A. I don't understand the  
7 question.

8 Q. What did you do to review  
9 Canal's tax returns?

10 A. I don't understand that  
11 question either.

12 Q. You testified that you  
13 reviewed Canal's tax returns. So I  
14 am asking what did that review  
15 entail?

16 A. So I need an explanation  
17 what the word review you are  
18 referring to means.

19 Q. I mean it in the general  
20 plain sense of the word. And I mean  
21 it in the way that I asked if you  
22 reviewed Canal's tax returns, and  
23 you answered yes to that question.

24 So using that, your  
25 understanding answering that

1 M. TASCH

2 question, what did you do to review  
3 Canal's tax returns?

4 A. Well, you know what? I  
5 made a mistake in saying that I  
6 reviewed. I need to know what you  
7 exactly mean by that terminology.

8 Q. Would you look at Canal's  
9 tax returns?

10 A. I don't understand the  
11 question.

12 MR. DROGIN: What is it  
13 that you want to know?

14 Q. Have you -- what part of  
15 the question don't you understand,  
16 Mr. Tasch?

17 A. I would like to know -- I  
18 really would like know what you are  
19 asking. If you have a real question  
20 that you want an answer to, ask a  
21 real question.

22 Q. Have you seen Canal's tax  
23 returns?

24 A. I have seen Canal's tax  
25 returns.



1 M. TASCH

2 Q. And have you looked at  
3 backup documentation to use to  
4 prepare the tax returns?

5 A. I have looked at some.

6 MR. DROGIN: Objection to  
7 the form. He testified that  
8 he did not prepare the tax  
9 returns, so it assumes not  
10 only a fact that is not in  
11 evidence, it assumes a fact  
12 that you are --

13 (Simultaneous speaking)

14 MS. SLOAN: Counsel stop.

15 Q. What types of --

16 MR. DROGIN: Counsel  
17 stop. Counsel stop. Counsel  
18 stop. Counsel stop. Counsel  
19 stop.

20 Q. What types of documents --

21 MR. DROGIN: Counsel  
22 stop.

23 Q. -- would you look at --

24 MR. DROGIN: Counsel stop.

25 Q. -- what type?

1 M. TASCH

2 MS. SLOAN: Are you done?

3 Q. What types of backup  
4 documentation would you look at, Mr.  
5 Tasch?

6 A. I would look at the general  
7 ledger.

8 Q. And what were you looking  
9 at in the general ledger?

10 A. Various expenses and  
11 income.

12 Q. Did any Berdon employees  
13 consult with you about reviewing  
14 Canal's tax returns?

15 A. Yes.

16 Q. What would they consult  
17 with you about?

18 A. If they had a question on  
19 where to put an item or if we had to  
20 discuss anything maybe on the bank  
21 accounts, or anything on the balance  
22 sheet, sort of questions like that.

23 Q. And who -- who would  
24 consult with you?

25 A. You want the 2010? What

1 M. TASCH

2 year do you want?

3 Q. 2017 through 2019?

4 A. 2017 through 2019, I don't  
5 remember.

6 Q. What about 2020?

7 A. You know that Sarah  
8 Bernstein prepared it, so she would  
9 be the person.

10 Q. Whoever prepared it was the  
11 person that -- that would consult  
12 with you?

13 A. Yes.

14 Q. Did those people -- did  
15 Berdon employees ask you questions  
16 about deductions?

17 A. In some cases, yes.

18 Q. Did you provide information  
19 to anyone at Berdon to assist them  
20 in preparing Canal's tax returns?

21 A. I don't even know what that  
22 means.

23 Q. Okay.

24 Are you generally familiar  
25 with Berdon's process of preparing

1 M. TASCH

2 Canal's tax returns?

3 A. Why would that matter to  
4 this?

5 MS. JACOBS: Michael.

6 Q. You should answer the  
7 question.

8 A. You are talking about  
9 Berdon's procedures. We are not a  
10 party to this action.

11 Q. Are you generally familiar  
12 with Berdon's process of preparing  
13 Canal's?

14 MR. DROGIN: Objection.

15 He is not here testifying for  
16 Berdon. Can you relate this  
17 to anything having to do with  
18 this case, please? Please.

19 I mean, it is your  
20 deposition. I thought we  
21 were here to answer --

22 (Simultaneous speaking)

23 Q. Mr. Tasch, answer the  
24 question, please?

25 A. I am not going to answer

1 M. TASCH

2 the question. You are asking about  
3 Berdon's policies, which have  
4 nothing to do with this action.

5 Q. You are required to answer  
6 the questions here today. So I will  
7 ask it again.

8 Are you generally familiar  
9 with Berdon's process of preparing  
10 Canal's tax returns?

11 A. I don't recall.

12 Q. And just to be clear, I am  
13 just asking about your familiarity  
14 with that process?

15 A. I don't recall.

16 MR. DROGIN: Hold on.

17 Just a second. There is a  
18 difference between I don't  
19 recall and I am not going to  
20 answer. If you are not going  
21 to answer, then please just  
22 state you are not going to  
23 answer and let the attorneys  
24 work it out.

25 THE WITNESS: So, fine.

1 M. TASCH

2 I am going to take a break,  
3 and I want to speak to my  
4 attorney.

5 MS. SLOAN: We will take  
6 a five-minute break.

7 THE VIDEOGRAPHER: The  
8 time is 1:51 p.m. We are off  
9 the record.

10 (Whereupon, a recess was  
11 taken at this time.)

12 THE VIDEOGRAPHER: The  
13 time is 1:57 p.m. We are  
14 back on the record.

15 Q. Mr. Tasch, as far as you  
16 know, what was Berdon's process of  
17 gathering and evaluating information  
18 when it came time to prepare Canal's  
19 tax returns?

20 MR. DROGIN: Objection.  
21 Absolutely irrelevant to this  
22 litigation. (Inaudible) and  
23 this is not necessarily a  
24 witness who has that  
25 information. He is here to

1 M. TASCH

2 testify about his personal  
3 knowledge in this litigation,  
4 Canal's affirmative claims,  
5 and your counterclaims.

6 Q. Mr. Tasch, you should  
7 answer the question.

8 MR. DROGIN: And our  
9 valid counterclaims.

10 MR. HEISLER: We had a  
11 frozen moment for like 20  
12 seconds.

13 MS. SLOAN: Jeremy, you  
14 should mute yourself.

15 Q. Mr. Tasch, you should  
16 answer the question.

17 A. Repeat the question,  
18 please?

19 Q. As far as you know, what  
20 was Berdon's process of gathering  
21 and evaluating information when it  
22 came time to prepare Canal's tax  
23 returns?

24 A. The information we had, so  
25 I didn't have to gather it. And I

1 M. TASCH

2 don't understand the other part of  
3 your question.

4 Q. And what information did  
5 you have?

6 A. You just asked me about the  
7 information.

8 MR. DROGIN: Could I be  
9 clear? Are you really saying  
10 Mr. Tasch, can you walk me  
11 through Berdon's process in  
12 how it prepares tax returns  
13 for a client? Is that a fair  
14 restatement of your question?  
15 I just want to understand  
16 exactly what you are asking.

17 Q. So by the time that it came  
18 time -- when it came time to prepare  
19 Canal's tax returns, Berdon already  
20 had the information necessary to  
21 calculate deductions for Canal's tax  
22 returns, is that fair?

23 A. That is fair. Did you say  
24 fair? Your last word?

25 Q. Is that correct?



1 M. TASCH

2 A. Okay. I thought you said  
3 fair, but it is correct and it is  
4 fair.

5 Q. Okay. Thank you.

6 Prior to filing Canal's tax  
7 returns, would anyone at Berdon  
8 interview Mr. De Niro?

9 A. No.

10 Q. Would anyone -- prior to  
11 filing Canal's tax returns, would  
12 anyone meet with Mr. De Niro -- at  
13 Berdon meet with Mr. De Niro?

14 MR. DROGIN: Objection to  
15 the form.

16 A. Generally not.

17 Q. Over the past decade,  
18 sometimes would Berdon meet with Mr.  
19 De Niro prior to filing tax returns?

20 MR. DROGIN: Objection to  
21 the form. Are you asking in  
22 connection with the tax  
23 returns or are you just  
24 asking in general? These  
25 questions are so vague and

1 M. TASCH

2 unclear.

3 Q. You could answer, Mr.

4 Tasch.

5 MR. DROGIN: It is like

6 you can't put -- whatever.

7 Can I also ask that you

8 recheck the time on the

9 record? We started at 9:30.

10 We don't understand how at

11 1:30 we have only been on the

12 record for three hours. Can

13 I just ask that you check

14 that when we take the break?

15 Please and thank you.

16 THE VIDEOGRAPHER:

17 Absolutely, counsel.

18 MS. SLOAN: I think we

19 lost track of the question

20 here. Let me pose another

21 question to Mr. Tasch.

22 A. Sure.

23 Q. What documents would Berdon

24 look at in order to calculate

25 deductions that would be claimed on

1 M. TASCH

2 Canal's tax returns?

3 A. Repeat that, please?

4 Q. What documents would Berdon  
5 look at or would Berdon employees  
6 look at in order to calculate  
7 deductions that would be claimed on  
8 Canal's tax returns?

9 A. It would be all the bills  
10 that we paid. That is how we would  
11 generate the deductions.

12 Q. Would Berdon look at  
13 Canal's credit card statements?

14 A. I think we have already  
15 established that we looked at the  
16 credit card statements.

17 Q. Let me clarify my question.  
18 Before filing Canal's tax  
19 returns, would Berdon look at  
20 Canal's credit card statements?

21 A. I think we clarified that.  
22 You asked that earlier on in the  
23 deposition.

24 Q. Okay.

25 A. Review the AMEX statements.

1 M. TASCH

2 Q. And would Berdon employees  
3 do that when preparing Canal's tax  
4 returns?

5 A. It was already done.

6 Q. Okay.

7 So Berdon would review the  
8 AMEX statements when they received  
9 them and paid them, correct?

10 A. I'm sorry. Can you repeat  
11 that, please?

12 Q. Berdon would review the  
13 credit card AMEX statements when it  
14 paid them?

15 A. Correct.

16 Q. And that is the only review  
17 that Berdon would undergo?

18 A. (Witness nods head).

19 MR. BENNETT: Can you  
20 read that back?

21 (Whereupon, the requested  
22 portion was read back by the  
23 reporter:

24 Q: And that is the only  
25 review that Berdon would

1 M. TASCH

2 undergo?)

3 Q. Would Berdon categorize tax  
4 deductible expenses on an ongoing  
5 basis throughout the year?

6 MR. DROGIN: Objection to  
7 the form.

8 A. Yes.

9 THE WITNESS: Sorry.

10 MR. DROGIN: It is okay.

11 Q. Where would it put that  
12 categorization?

13 A. I don't even understand  
14 that question.

15 Q. How would it keep track of  
16 categorizing the tax deductible  
17 expenses?

18 A. You asked that question  
19 when you asked if we review the  
20 bills, the AMEX, and all the other  
21 bills. As we did that, we review  
22 and booked it in the general ledger,  
23 and that is how we would do it.

24 Q. Okay. Thank you.

25 So that -- the general

1 M. TASCH

2 ledger would keep a notation as to  
3 which expenses were tax deductible?

4 A. No.

5 Q. Is that correct?

6 A. No. That is not correct.

7 Q. Okay.

8 Where was a record  
9 maintained of which expense was  
10 considered tax deductible?

11 A. I believe we answered this  
12 question already.

13 Q. What is your -- can you  
14 please clarify?

15 A. I am not sure I need to  
16 clarify. We already talked about  
17 the general ledger. That is where  
18 all the records are maintained.

19 Q. In the general ledger,  
20 there was no notation as to which  
21 expenses were considered tax  
22 deductible, correct?

23 A. No.

24 Q. Okay.

25 When preparing -- is there

1 M. TASCH

2 anywhere where Berdon kept a record  
3 of which expenses were considered  
4 tax deductible?

5 A. I don't understand that  
6 question.

7 Q. Is there any place -- or  
8 any document -- let me try again.

9 Is there anywhere where  
10 Berdon kept any sort of record of  
11 which expenses it considered tax  
12 deductible?

13 A. Ms. Sloan, we have talked  
14 about this for the last five  
15 minutes. And once again, I am  
16 telling you we have a general ledger  
17 where everything is kept.

18 Q. Okay.

19 I understand that you have  
20 a general ledger and so how -- in  
21 the general ledger -- we will stick  
22 to that.

23 In the general ledger, how  
24 were the expenses that were tax  
25 deductible identified?

1 M. TASCH

2 A. We prepare his tax return  
3 as accountants, we know what is  
4 deductible. I'm not sure how to  
5 answer your question, but that is  
6 the best I can give you.

7 Q. Okay.

8 So does the general ledger  
9 include anything about any  
10 organization or any notations about  
11 tax deductions?

12 A. I don't even understand  
13 that question.

14 Q. Are there any spreadsheets  
15 or other documents reflecting  
16 Berdon's calculation of which  
17 expenses were considered tax  
18 deductible?

19 A. I don't understand that  
20 question either.

21 MR. DROGIN: Michael, do  
22 you like running? Do you  
23 run?

24 THE WITNESS: I don't.  
25 Why?



1 M. TASCH

2 MR. DROGIN: Inside joke.

3 Q. When Ms. Robinson was  
4 employed at Canal, were any Canal  
5 employees involved at all in  
6 assisting Berdon as it prepared  
7 Canal's tax returns?

8 MR. DROGIN: Objection.

9 You asked this 11 pages ago  
10 in your outline. You asked  
11 it, and he said 2017 to 2019  
12 he didn't remember, and then  
13 in 2020 he identified --

14 (Simultaneous speaking)

15 Q. Let me repeat the question  
16 so that it is clear.

17 A. No, no.

18 THE WITNESS: Laurent, I  
19 do want to be fair to Ms.  
20 Sloan. You are talking about  
21 Berdon employees, and she is  
22 talking about Canal  
23 employees, I believe.

24 A. Right, Ms. Sloan?

25 Q. That is correct.

1 M. TASCH

2 A. I was clear on that.

3 Q. Thank you, Mr. Tasch.

4 A. Not a problem.

5 So repeat the question you  
6 want answered.

7 Q. Yes. I am not sure I got  
8 your response.

9 When Ms. Robinson was  
10 employed at Canal, were any Canal  
11 employees involved at all in  
12 assisting Berdon as it prepared  
13 Canal's tax returns?

14 A. No.

15 Q. In connection with Canal's  
16 tax returns, at any time would you  
17 communicate with Mr. De Niro about  
18 what employee expenses were claimed  
19 as tax deductions?

20 A. No.

21 Q. List for me the types of  
22 employee expenses that Canal would  
23 claim deductions for on Canal's  
24 annual tax returns when Ms. Robinson  
25 was employed at Canal?

1 M. TASCH

2 A. Meals, and entertainment,  
3 car expenses, taxi expenses.

4 Q. Okay.

5 For -- what was your  
6 understanding of the type of meals  
7 expenses that Canal authorized to  
8 deduct?

9 A. I had no understanding of  
10 what they authorized. That was  
11 Chase's job.

12 Q. Apart from the items that  
13 you just named, were there other  
14 types of employee expenses that  
15 Canal would claim deductions for on  
16 Canal's annual tax returns?

17 A. I don't recall.

18 Q. Was it Canal's general  
19 practice to claim tax deductions for  
20 meal expenses that it paid for?

21 A. Repeat the question,  
22 please.

23 Q. Was it Canal's general  
24 practice to claim tax deductions for  
25 meal expenses that it paid for

1 M. TASCH

2 employees?

3 A. I don't understand the  
4 question.

5 Q. Was it Canal's general  
6 practice to claim tax deductions for  
7 all of the employee meal expenses  
8 that were charged to Canal's credit  
9 card?

10 A. That is the question that  
11 you just asked, which I don't  
12 understand the question.

13 Are you asking about  
14 policies and procedures of Canal?

15 Q. I am asking about the tax  
16 deductions. And I did --

17 A. No, you asked specifically  
18 about what Canal allowed. You are  
19 now getting into policies and  
20 procedures. So are you asking me  
21 about policies and procedures?

22 Q. I am actually asking about  
23 Canal's claimed tax deductions.

24 A. You asked me if Canal  
25 allowed meal deductions. That is

1 M. TASCH

2 what you said. That gets into  
3 policies and procedures of Canal.

4 Q. I actually didn't use the  
5 word allowed. I will repeat the  
6 question.

7 Did Canal claim tax  
8 deduction for all of the employee  
9 meal expenses that were charged to  
10 Canal's credit card?

11 MR. DROGIN: Objection to  
12 the form.

13 A. Yes.

14 Q. Did -- did Canal claim tax  
15 deductions for all of the charges at  
16 Paola's restaurant that appeared on  
17 the Canal American Express under Ms.  
18 Robinson's name?

19 MR. DROGIN: Objection to  
20 the form. Go head.

21 A. I don't recall.

22 Q. Did Canal claim tax  
23 deductions for all of the charges at  
24 Whole Foods that appeared on the  
25 Canal American Express under Ms.

1 M. TASCH

2 Robinson's name?

3 A. I don't recall.

4 Q. Did Canal claim deductions  
5 for all the charges at Dean & DeLuca  
6 that appeared on the Canal American  
7 Express under Ms. Robinson's name?

8 A. I don't recall.

9 Q. What document would you  
10 need to review to answer those  
11 questions?

12 A. No idea. You are asking  
13 about the preparation of a tax  
14 return? There is a zillion things  
15 that go into the preparation of a  
16 tax return. And why would I need to  
17 review anything for those particular  
18 three things?

19 Q. I am asking about the  
20 claimed tax deductions.

21 A. I understand what you are  
22 asking about. You are asking about  
23 three particular items. Why would I  
24 need backup for those particular  
25 three items? You asked about three

1 M. TASCH

2 particular items.

3 Q. What documents would you  
4 need --

5 (Simultaneous speaking)

6 A. -- deductions for hundreds  
7 of items. You asked about three.  
8 So why would I need the backup for  
9 those three?

10 Q. What documents would you  
11 need to review to ascertain whether  
12 charges at Paola's, Whole Foods, and  
13 Dean & DeLuca were claimed as  
14 deductions?

15 A. I don't recall.

16 Q. At any time has Canal filed  
17 amended tax returns -- okay. Let me  
18 actually -- let me withdraw that  
19 part of the question.

20 Would Canal claim a  
21 deduction for employee's lodging  
22 expenses?

23 A. I'm sorry?

24 Q. Let's -- let's stick with  
25 the Paola's, and Whole Foods, and

1 M. TASCH

2 Dean & DeLuca while we are here.

3 Do you have any reason to  
4 doubt that Canal claimed tax  
5 deductions for all of the charges at  
6 Paola's, Whole Foods, and Dean &  
7 DeLuca that appear --

8 A. I don't recall.

9 Q. Okay. Let me finish --

10 A. Okay. Yes. I apologize.  
11 You can finish.

12 Q. -- that appeared on Canal's  
13 credit card under Ms. Robinson's  
14 name?

15 A. I don't recall.

16 Q. Okay.

17 My question -- listen to my  
18 question, please, Mr. Tasch.

19 Do you have any reason to  
20 doubt that Canal claimed tax  
21 deductions for all of the charges at  
22 Paola's, Dean & DeLuca, and Whole  
23 Foods that appeared on Canal's  
24 credit cards under Ms. Robinson's  
25 name?



1 M. TASCH

2 MR. DROGIN: Objection.

3 It assumes a fact not in  
4 evidence. He told you that  
5 he doesn't recall, and now  
6 you are asking him whether or  
7 not he has any reason he  
8 doubt something that he told  
9 you, that he either doesn't  
10 understand the question or he  
11 doesn't recall. This is  
12 persistently what you guys do  
13 in this case. You make up  
14 facts, you put them in the  
15 witness' mouth, and then you  
16 ask him to agree with you. I  
17 mean, this is nonsense. What  
18 you are doing?

19 MS. SLOAN: Paige, can  
20 you repeat the question,  
21 please?

22 (Whereupon, the requested  
23 portion was read back by the  
24 reporter:

25 Q: Do you have any

1 M. TASCH

2 reason to doubt that Canal  
3 claimed tax deductions for  
4 all of the charges at  
5 Paola's, Dean & DeLuca, and  
6 Whole Foods that appeared on  
7 Canal's credit cards under  
8 Ms. Robinson's name?)

9 A. Thank you. I don't recall.

10 Q. Did Canal claim tax  
11 deductions for all of the employee  
12 transportation expenses that were  
13 charged to Canal's credit card?

14 MR. DROGIN: Objection to  
15 the form. Just so we are  
16 clear, we are talking about  
17 the entire period of time  
18 since 2009 I assume, right?  
19 You haven't -- you haven't  
20 narrowed it down.

21 Q. If it would be helpful Mr.  
22 Tasch, I can narrow the timeframe.

23 A. Would you like me just to  
24 answer?

25 Q. If it would help you

1 M. TASCH

2 recall, I can provide a timeframe.

3 A. It will not help.

4 Q. Okay. Then I would like to  
5 you to answer the question?

6 A. I don't recall.

7 Q. Did Canal claim tax  
8 deductions for all of the employee  
9 transportation expenses that were  
10 charged to petty cash?

11 MR. DROGIN: Objection to  
12 the form.

13 A. I don't recall.

14 Q. Mr. Tasch, could you please  
15 explain how Berdon would determine  
16 which transportation expenses to  
17 claim a tax deduction for?

18 MR. DROGIN: Objection to  
19 the form. The witness is not  
20 here testifying on behalf of  
21 Berdon.

22 MS. JACOBS: Join.

23 Q. I am asking about your  
24 understanding.

25 A. I'm not sure I understand

1 M. TASCH

2 the question.

3 Q. Okay.

4 As far as you are aware,  
5 what was Berdon -- how did Berdon  
6 determine which transportation  
7 expenses to claim a tax deduction  
8 for?

9 MR. DROGIN: Same  
10 objection.

11 A. Still don't understand your  
12 question.

13 Q. Were there certain  
14 transportation -- transportation  
15 expenses that Berdon would not claim  
16 tax deductions for?

17 A. You came in and out a  
18 little bit there. I didn't catch  
19 the whole question.

20 Q. Were there certain  
21 transportation expenses by Canal  
22 employees that Berdon did not claim  
23 tax deductions for?

24 A. I don't recall.

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form.

3 Q. Okay.

4 As a general matter, Canal  
5 would claim a tax deduction for any  
6 Uber, taxi, or Lyft charges for  
7 Canal employees, correct?

8 MR. DROGIN: Objection to  
9 the form.

10 MS. JACOBS: Objection to  
11 the form.

12 A. I don't understand the  
13 question.

14 Q. Okay. Let's see here. As  
15 a general matter, Uber, taxi, and  
16 Lyft charges for Canal employees  
17 were considered tax deductible  
18 expenses, correct?

19 MR. DROGIN: Objection to  
20 the form.

21 MS. JACOBS: Join.

22 A. I don't know.

23 Q. Would Canal claim a tax  
24 deduction for any Uber, taxi, or  
25 Lyft charge for Canal employees?

1 M. TASCH

2 A. I don't recall.

3 MR. DROGIN: I'm sorry.

4 Did you say every or any?

5 THE WITNESS: She first  
6 said every, and then she said  
7 any.

8 MS. SLOAN: I said any in  
9 that last question.

10 MR. DROGIN: Thank you  
11 for clarifying. Same  
12 objection.

13 Q. Were there circumstances  
14 where Canal would claim a tax  
15 deduction for flower or plant  
16 charges that appeared on the Canal  
17 credit card?

18 MS. JACOBS: I'm sorry.  
19 Flower or what charges?

20 MS. SLOAN: Plant.

21 A. I will be honest with you,  
22 I don't recall. I mean, I will give  
23 you a general answer, Ms. Sloan, is  
24 if we -- if they were business  
25 gifts, absolutely.

1 M. TASCH

2 Q. Okay.

3 And how would you determine  
4 if they were business gifts?

5 A. Sometimes through  
6 conversations with employees maybe  
7 Michael, Chase, maybe Sabrina or  
8 Jillian.

9 Q. So when you saw flower  
10 charges appear on the American  
11 Express credit card, for example,  
12 you would -- you would sometimes  
13 reach out to Canal employees to  
14 determine the purpose of that  
15 charge?

16 A. It really depends. I will  
17 give you an example. If it was  
18 \$50.00, I will make it up. I really  
19 wasn't worried about it. If it  
20 maybe was \$2,000, we would ask.

21 Q. Okay. And if you didn't  
22 ask, would you -- how would you  
23 characterize that expense?

24 A. As a business gift.

25 Q. Okay. So it would assume

1 M. TASCH

2 to be a business gift.

3 Did you -- did you do that  
4 same process with employee  
5 transportation?

6 A. Not -- to be honest with  
7 you, I don't recall.

8 Q. Okay.

9 Did you do that same  
10 process with respect to meal  
11 expenses?

12 A. I think if we considered  
13 the amount immaterial, probably not.

14 Again, the same example,  
15 Ms. Sloan, if it was \$50.00, maybe  
16 we wouldn't care. If it was \$1,000,  
17 we would ask.

18 Q. Okay.

19 But if you -- if there was  
20 a -- what you considered a  
21 reasonable price, you would count  
22 that as a business expense?

23 A. Again -- depending on the  
24 thing. Again, I gave you an example  
25 of \$50.00, maybe if it was 150 I may



1 M. TASCH

2 not ask for that either. But,  
3 again, if it was \$500,000 or  
4 something like that, we would  
5 probably ask.

6 Q. Okay.

7 And that same process for  
8 transportation expenses?

9 A. I don't remember any big  
10 transportation expenses off the top  
11 of my head. So I am not sure if we  
12 did the same thing. But in general,  
13 with any expense, it doesn't matter  
14 if the ones that you are talking  
15 about or not, if we felt it was a  
16 big amount, and it had to be  
17 questioned, we would question it.

18 Q. Okay.

19 Did Canal claim a business  
20 deduction for iPhones that employees  
21 charged on Canal's credit card or  
22 used petty cash to purchase?

23 A. You know what? I honestly  
24 don't remember so I am going to say  
25 that I don't recall.

1 M. TASCH

2 Q. Okay.

3 Did Canal claim a business  
4 deduction for a Louis Vuitton bag  
5 that was charged on Ms. Robinson's  
6 petty cash sheet?

7 A. I don't recall that at all.

8 Q. And what would you need to  
9 look at to -- to be able to that  
10 question -- those two questions?

11 A. I'm not sure if I looked at  
12 something it would jog my memory  
13 anyway. If it was there on a  
14 statement, and it wasn't a lot of  
15 money, then we might have deducted  
16 it. I don't know as a business --  
17 if it was a large enough amount, I  
18 would have hoped we would have  
19 questioned it, but I am not  
20 positive.

21 Q. Over the past decade, has  
22 Mr. De Niro ever amended his tax  
23 returns?

24 A. I don't recall.

25 Q. What is your understanding

1 M. TASCH

2 of the circumstances in which Mr. De  
3 Niro would be obligated to file tax  
4 returns?

5 MR. DROGIN: Objection to  
6 the form.

7 A. I don't even understand  
8 that question.

9 Q. Okay. I will ask a new  
10 one.

11 Over the past decade has  
12 Canal amended its tax returns?

13 A. Didn't you just ask that  
14 question?

15 Q. I asked about Mr. DeNiro  
16 previously, and now I am asking  
17 about Canal.

18 A. I don't recall.

19 Q. In the past three years,  
20 has Canal amended its tax returns?

21 A. No.

22 Q. At any time has Canal filed  
23 amended tax returns disclaiming  
24 deductions based on Ms. Robinson's  
25 expenses?

1 M. TASCH

2 MR. DROGIN: Objection to  
3 the form.

4 MS. JACOBS: Did you say,  
5 "disclaiming?"

6 MS. SLOAN: Yes.

7 A. I don't understand that  
8 question at all.

9 MR. DROGIN: Want me to  
10 explain it to him?

11 Q. At any time has Canal filed  
12 amended tax returns, in which it no  
13 longer claimed deductions based on  
14 Ms. Robinson's expenses?

15 MR. DROGIN: Objection.  
16 Assumes facts not in evidence  
17 and to the form of the  
18 question.

19 A. You already asked the  
20 question twice already. You asked  
21 in the last three years, and I told  
22 you no, and before that I don't  
23 recall.

24 Q. So to be clear the answer  
25 is no, correct?

1 M. TASCH

2 MR. DROGIN: Objection.

3 A. I just gave you the answer.

4 Q. And that answer was no,  
5 correct?

6 MR. DROGIN: To which  
7 question?

8 A. Let me repeat it for you.  
9 Let me repeat it for you. You asked  
10 in the last three years if they  
11 filed amended returns, and I said,  
12 no. And before that, I said that I  
13 don't recall. Do you remember that?

14 Q. I do, Mr. Tasch.

15 A. Thank you.

16 Q. Did Canal review its filed  
17 tax returns or any of its backup tax  
18 documentation during its  
19 investigation into Ms. Robinson?

20 MR. DROGIN: Objection to  
21 the form.

22 A. I do not understand the  
23 question.

24 Q. Would Berdon retain  
25 documentation in the event of an

1 M. TASCH

2 audit?

3 A. I'm sorry. Can you repeat  
4 that? I didn't hear the whole  
5 thing.

6 Q. Would Berdon retain  
7 documentation in the event of an  
8 audit?

9 A. We are required to keep at  
10 least three year's worth of records.

11 Q. Over the past decade -- let  
12 me strike that.

13 What backup tax  
14 documentation does Berdon maintain  
15 concerning its claimed tax  
16 deductions?

17 MR. DROGIN: Objection to  
18 -- Berdon claimed tax  
19 deduction?

20 MS. SLOAN: Let me  
21 clarify.

22 Q. What backup tax  
23 documentation does Berdon maintain  
24 concerning Canal's claimed tax  
25 deductions?

1 M. TASCH

2 A. Whatever documentation is  
3 required.

4 Q. You cut out.

5 A. Whatever documentation is  
6 required.

7 Q. And what documentation is  
8 required, Mr. Tasch?

9 A. General ledger, bills.  
10 That is all the stuff.

11 Q. Is there any kind of  
12 spreadsheet or list showing which  
13 specific expenses are claimed for  
14 tax deductions?

15 A. We went through this  
16 already.

17 Q. So the answer is no?

18 A. Ms. Sloan, I am trying to  
19 help you out here. You are asking  
20 the same question ten different ways  
21 and ten different times. If I am  
22 not explaining it, or you don't  
23 understand, please let me know.

24 Q. Thank you. I appreciate  
25 that.

1 M. TASCH

2 A. Generally, I don't like to  
3 repeat myself.

4 Q. To be clear, the answer is  
5 no, is that right?

6 A. Repeat the question?

7 MS. SLOAN: Paige, could  
8 you read it back?

9 (Whereupon, the requested  
10 portion was read back by the  
11 reporter:

12 Q: Is there any kind of  
13 spreadsheet or list showing  
14 which specific expenses are  
15 claimed for tax deductions?)

16 A. As I said, as least ten  
17 times already, we have the general  
18 ledger, which has all the  
19 information in it.

20 Q. Okay.

21 A. You did hear me say that,  
22 right?

23 Q. I heard you say that  
24 earlier.

25 In order to calculate



1 M. TASCH

2 claimed tax deductions Berdon adds  
3 up certain categories of employee  
4 expenses at Canal, correct?

5 A. I don't even know what that  
6 means.

7 Q. So in order to calculate  
8 the claimed tax deductions, Berdon  
9 has to look at the certain  
10 categories of employee expenses at  
11 Canal, and add up those numbers,  
12 correct?

13 A. As I will explain to you  
14 once again, so you understand, since  
15 you don't understand.

16 Q. Thank you.

17 A. We have a general ledger,  
18 we get receipts from petty cash, we  
19 get bills, we get statements from  
20 AMEX. Some go in automatically when  
21 we pay the check, some we do journal  
22 entries by, and that is where all  
23 the deductions come from.

24 Am I clear?

25 Q. For now.

1 M. TASCH

2 A. For now. Okay. Until the  
3 next question I guess.

4 Q. Exactly.

5 What categories are listed  
6 in the general ledger?

7 A. I don't understand the  
8 question.

9 Q. So I am going to focus on  
10 the general ledger, okay?

11 A. Congratulations.

12 Q. So if you could just kind  
13 of walk me through the general  
14 ledger, what categories of employee  
15 expenses, you know --

16 A. I am not going to walk you  
17 through a 500 page general ledger.

18 Q. Okay.

19 A. If you have a question to  
20 ask --

21 Q. Mr. Tasch, enough. Let me  
22 ask a specific question about it.

23 Does a general ledger  
24 identify expenses by category?

25 A. Yes.

1 M. TASCH

2 Q. Okay.

3 And so my question is, what  
4 are those categories?

5 A. There is a 500-page general  
6 ledger. I am not going to repeat  
7 every category. Do you have a  
8 specific question I can answer for  
9 you?

10 Q. What are the types of  
11 categories? How many categories are  
12 there Mr. Tasch?

13 A. Many. What -- why don't  
14 you make it easy? What categories  
15 are you looking for?

16 Q. Is meals expenses a  
17 category?

18 A. It is.

19 Q. Is transportation expenses  
20 a category?

21 A. It is.

22 Q. Are business gifts a  
23 category?

24 A. Yes.

25 Q. Would flowers or plants

1 M. TASCH

2 fall under business gifts?

3 A. For the most part, yes.

4 Q. What -- what other  
5 categories would flower or plants  
6 fall under?

7 A. I'm not sure. Listen, we  
8 are not perfect in the posting it.  
9 Some of it could be an office  
10 expense, or something like that. I  
11 think your question is irrelevant  
12 since I just gave you the major  
13 categories, which you seem to be  
14 focusing on and if you would just  
15 ask that question, I would answer  
16 it.

17 Q. Well, we are here now.  
18 Are lodging expenses a  
19 category?

20 A. Yes.

21 MR. DROGIN: Ms. Sloan,  
22 can we just find out whether  
23 Canal is an S Corp. or a C  
24 Corp.? Can we ask that  
25 question or should we wait

1 M. TASCH

2 until redirect?

3 MS. SLOAN: Sure. We can  
4 ask that.

5 Q. Is Canal a S Corp. or a C  
6 Corp., Mr. Tasch?

7 A. It is an S Corp.

8 Q. Thank you.

9 And what does that mean?

10 A. What is the question?

11 Q. What does -- what does that  
12 mean?

13 A. Not understanding your  
14 question.

15 Q. Okay.

16 Okay. I will be more  
17 specific.

18 Can you explain the  
19 difference between a C Corp. and a S  
20 Corp.?

21 A. Okay. A S Corp. -- a C  
22 Corp. files its own tax returns, as  
23 an S Corp. does, but a C Corp. would  
24 pay its own taxes. An S Corp. does  
25 not pay taxes at the federal level

1 M. TASCH

2 because everything passes out to the  
3 individual shareholder and that is  
4 the main difference between the two.  
5 Just to make it even easier for you,  
6 if, Ms. Sloan, had your own C. Corp.  
7 and you earned \$100.00, and it was  
8 taxable, I will make it up, the  
9 entity would pay \$50.00. If -- Ms.  
10 Sloan, if you had an S Corp., the  
11 \$100.00 profit would come out to via  
12 AK1, and then you would pay the tax  
13 on your personal return.

14 Q. Okay.

15 To clarify, the deductions  
16 are being claimed by Mr. De Niro on  
17 his personal return or by Canal on  
18 its -- let me -- sorry. Strike  
19 that. Excuse me.

20 Are the deductions being  
21 claimed by Mr. De Niro -- the  
22 deductions being claimed by Mr. De  
23 Niro -- let me try this again.

24 Mr. Tasch, are the tax  
25 deductions concerning Canal's

1 M. TASCH  
2 employee expenses being claimed on  
3 Canal's tax returns or on Mr. De  
4 Niro's personal tax returns?

5 MR. DROGIN: Objection to  
6 the form.

7 A. Is there a particular  
8 reason you are just asking about  
9 employee business expenses as  
10 opposed to overall deductions on the  
11 Canal return? They are all  
12 deductions. It is irrelevant what  
13 they are.

14 Q. Okay. You should answer  
15 the question.

16 A. I did.

17 Q. Can you clarify, please?

18 A. I don't understand what you  
19 need clarification on.

20 Q. The question is about where  
21 the deductions are claimed.

22 Are the tax deductions  
23 concerning Canal's employee expenses  
24 being claimed on Canal's tax returns  
25 or on Mr. De Niro's personal tax

1 M. TASCH

2 returns?

3 A. All tax deductions are  
4 claimed on Canal's return.

5 Q. Okay. Thank you, Mr.  
6 Tasch.

7 Over the past decade, has  
8 Mr. De Niro been audited?

9 A. Not that I recall.

10 Q. And over the past decade,  
11 has Canal been audited?

12 A. Not that I recall.

13 Q. Have you prepared personal  
14 financial statements for Mr. De  
15 Niro?

16 A. Not that I recall.

17 Q. What do you approximate Mr.  
18 De Niro's net worth to be in  
19 dollars?

20 A. Couldn't even begin to  
21 guess.

22 Q. Mr. -- did you prepare any  
23 documentation of Mr. De Niro's  
24 income or net worth in connection  
25 with his divorce proceedings?



1 M. TASCH

2 A. I'm sorry. Repeat the  
3 question, please?

4 MS. SLOAN: Paige, can  
5 you read it back?

6 (Whereupon, the requested  
7 portion was read back by the  
8 reporter:

9 Q: Mr. -- did you  
10 prepare any documentation of  
11 Mr. De Niro's income or net  
12 worth in connection with his  
13 divorce proceedings?)

14 A. I don't understand the  
15 question.

16 Q. You are aware of Mr. De  
17 Niro going through a divorce,  
18 correct?

19 A. No. That is news to me.

20 Q. You are not aware of Mr. De  
21 Niro going through a divorce?

22 A. I am. I apologize for my  
23 little joke.

24 Q. I just want to make it  
25 clear on record.

1 M. TASCH

2 A. Yes, it is clear on the  
3 record. Yes, it is clear on the  
4 record. I am -- absolutely know he  
5 is getting a divorce.

6 Q. Okay. Thank you.

7 And are you aware that Mr.  
8 De Niro's -- let me start over.

9 To assist in his divorce,  
10 did you prepare any kind of  
11 documents concerning Mr. De Niro's  
12 income or net worth?

13 A. I don't understand the  
14 question.

15 Q. To assist in his divorce,  
16 did you put together any sort of  
17 document concerning his income or  
18 net worth?

19 A. What does put together  
20 mean?

21 Q. Whatever it means to you.  
22 I mean, did you --

23 A. I am asking you because you  
24 are asking the questions.

25 Q. Okay.

1 M. TASCH

2 Did you prepare in any way  
3 any type of document that related to  
4 Mr. De Niro's income or net worth?

5 MR. DROGIN: Objection.

6 The question is so overbroad  
7 and irrelevant that I don't  
8 know --

9 (Simultaneous speaking)

10 Q. Mr. Tasch, you should  
11 answer the question.

12 A. I don't recall.

13 Q. To assist in his divorce,  
14 did you look at any documents  
15 concerning his income or net worth?

16 A. I don't understand the  
17 question.

18 Q. What do you approximate Mr.  
19 De Niro's annual income is?

20 MR. DROGIN: Objection to  
21 the form. For any year in  
22 particular?

23 THE WITNESS: Laurent,  
24 let me just answer in  
25 general.

1 M. TASCH

2 Q. Every year stands -- Ms.  
3 Sloan, every year stands on its own.

4 A. Okay.

5 Q. What was -- what would you  
6 approximate Mr. De Niro's annual  
7 income in 2021?

8 A. I don't recall.

9 Q. What do you approximate Mr.  
10 De Niro's annual income in 2019?

11 A. I don't recall.

12 Q. Do you recall his -- Mr. De  
13 Niro's annual income in 2018?

14 A. I don't recall.

15 Q. 2017?

16 A. I don't recall.

17 Q. Does Mr. De Niro receive  
18 any passive income such as  
19 royalties?

20 MR. BENNETT: I am going  
21 to object to the form.

22 A. As far as I remember, he  
23 does not receive royalties.

24 Q. Mr. De Niro's divorce  
25 lawyer reported in April of 2021

1 M. TASCH  
2 that Mr. De Niro owed \$18.25 million  
3 in income tax from 2018 to 2019, is  
4 that correct?

5 MR. DROGIN: Objection to  
6 the form. Hold on. To be  
7 clear, the question is  
8 whether or not that is what  
9 the attorney said? That is a  
10 yes-or-no question if you  
11 know. It is -- objection to  
12 the form. It is two  
13 questions.

14 A. Repeat the question,  
15 please?

16 Q. I will withdraw the  
17 question.

18 A. Okay.

19 MR. DROGIN: Even better.

20 Q. Besides Canal, what other  
21 companies does Mr. De Niro own or  
22 have a controlling interest?

23 A. I believe you asked this  
24 question already and I already  
25 answered it way back.

1 M. TASCH

2 Q. Okay.

3 It was a slightly different  
4 question earlier, Mr. Tasch.

5 A. It was the same question.

6 Q. Does Mr. De Niro -- does  
7 Mr. De Niro own any stocks, mutual  
8 funds, bonds, or similar  
9 investments?

10 MR. BENNETT: Objection.

11 What is the purpose?

12 A. Not -- he doesn't own  
13 individually, no.

14 Q. Does Mr. De Niro own any  
15 investment brokerage or retirement  
16 accounts?

17 A. Yes.

18 Q. At what institutions?

19 A. I don't recall.

20 Q. What is the value of the  
21 investment, brokerage, or retirement  
22 accounts owned by Mr. De Niro?

23 MR. DROGIN: Objection to  
24 the form.

25 A. I don't recall. Sorry.

1 M. TASCH

2 Q. If you could wait a second  
3 to give the attorneys a chance to  
4 object for the --

5 A. My apologies.

6 Q. More than \$10 million?

7 A. I don't recall.

8 MR. DROGIN: Objection to  
9 the form.

10 THE WITNESS: Again,  
11 sorry.

12 MR. DROGIN: You are  
13 asking about -- an open-ended  
14 question about a number that  
15 fluctuates every single day.

16 Q. When Ms. Robinson was  
17 employed at Canal, how often would  
18 you interact with her?

19 A. With Chase?

20 Q. Yes.

21 A. Fairly often I would think.

22 Q. At least once a week?

23 A. I would say at least that.

24 Q. Did you sometimes interact  
25 with her every day?

1 M. TASCH

2 A. There could have been  
3 instances where we were talking to  
4 each other every day, yes.

5 Q. On what subjects would you  
6 interact with Ms. Robinson?

7 A. Generally, it was her call,  
8 so it could be anything that was on  
9 her mind.

10 Q. What would she call you  
11 about?

12 A. Well, you can see obviously  
13 from before, we had conversations  
14 about the American Express. I don't  
15 remember specifically, per se. You  
16 know, there were times we would  
17 speak often. I just don't remember  
18 the subject matter. But generally  
19 -- generally related to Canal.

20 Q. Would you speak about Canal  
21 expenses?

22 A. I don't remember,  
23 specifically, to be honest with you,  
24 but I am sure we did along the way.

25 Q. What topics with respect to



1 M. TASCH

2 Canal's financials or expenses would  
3 you talk about?

4 A. I don't recall  
5 specifically.

6 Q. Ms. Robinson would flag  
7 concerns to you about Canal  
8 expenses, correct?

9 A. I'm sorry, say that again,  
10 please?

11 Q. Ms. Robinson would flag  
12 concerns about Canal expenses? She  
13 would bring concerns about Canal  
14 expenses to your attention, correct?

15 A. I don't recall.

16 Q. When Ms. Robinson was  
17 employed by Canal, you were not  
18 generally involved in the minutia of  
19 Ms. Robinson's day-to-day work, with  
20 Mr. De Niro, correct?

21 A. Correct.

22 Q. And you weren't generally  
23 involved in the day-to-day  
24 interactions between Ms. Robinson  
25 and Mr. De Niro, correct?

1 M. TASCH

2 A. Didn't you just ask that?

3 Q. No. It was -- it was a  
4 different question.

5 A. Minutia and day to day is  
6 different?

7 Q. The -- I will ask it again.  
8 You weren't involved in the  
9 day-to-day interactions between Ms.  
10 Robinson and Mr. De Niro, correct?

11 A. That is correct.

12 Q. In December of 2018, did  
13 you have a meeting with Mr. De Niro  
14 and Ms. Robinson?

15 A. December of '18? I  
16 honestly don't recall.

17 Q. Do you recall a meeting in  
18 December of 2018 with Mr. De Niro  
19 and Ms. Robinson, during which Mr.  
20 De Niro discussed your working  
21 relationship with Ms. Robinson?

22 A. I don't recall.

23 Q. There came a time when Ms.  
24 Robinson's employment at Canal came  
25 to an end, correct?

1 M. TASCH

2 A. That is correct.

3 Q. During the last couple of  
4 months of Ms. Robinson's employment,  
5 did you observe that Ms. Robinson  
6 appeared to be experiencing  
7 distress?

8 A. I am not capable of  
9 answering that question about  
10 distress. But I will be honest, I  
11 know there was certain situations  
12 regarding the townhouse that was --  
13 I don't want to use the word  
14 distress. I guess I will use this  
15 word for lack of a better word, that  
16 gave Chase a lot of anxiety.

17 Q. And what exactly did you  
18 observe about -- can you describe  
19 the situation that you understand  
20 was giving Ms. Robinson anxiety?

21 A. I think the events that  
22 were giving her anxiety was their  
23 apartment at [REDACTED] Apparently, and  
24 as it turned out to be later true,  
25 there was mold in the apartment.

1 M. TASCH

2 Tiffany was getting sick, we were --  
3 we, or Chase, me, we were trying to  
4 find out where it was coming from.  
5 I think that was probably the  
6 biggest factor in that situation.

7 Q. Did you observe Ms.  
8 Robinson experience more anxiety in  
9 the last week of her employment?

10 A. I didn't hear the last  
11 piece.

12 Q. Did you observe Ms.  
13 Robinson experiencing increased  
14 anxiety in the last weeks of her  
15 employment?

16 A. I don't recall that.

17 Q. Did Ms. Robinson discuss  
18 with you the anxiety that she was  
19 experiencing towards the end of her  
20 employment?

21 A. Well, again, it was the  
22 situation with the mold. We had  
23 conversations. I just don't  
24 remember whether it was the last  
25 week, or maybe it was the last few

1 M. TASCH

2 weeks, maybe a month before. I  
3 don't remember the date.

4 Q. And what do you recall Ms.  
5 Robinson saying to you about her  
6 anxiety?

7 A. Well, she didn't use those  
8 words either. But she used -- she  
9 needed to get me involved or wanted  
10 me to be involved in the mold  
11 situation. Tiffany was complaining  
12 quite often about the mold. So I  
13 certainly wasn't sure, and I am not  
14 sure if Chase was sure herself if  
15 what Tiffany was saying was true at  
16 the time, but it was sort of rapid  
17 fire. You know, could we get  
18 somebody in to test, get the  
19 reports. There was a few chance  
20 instances before I think the last  
21 few weeks where there was mold, if  
22 my memory serves me correctly. We  
23 had RTK come in. I think there was  
24 some cleaning of air-conditioners  
25 and stuff like. But it seemed to a

1 M. TASCH  
2 persistent problem, for a few months  
3 at least if my memory serves me  
4 correctly. And it sort of  
5 intensified towards the end because  
6 Tiffany was not getting better, and  
7 the mold appeared not to be going  
8 away. So we were checking -- they  
9 wanted us to check the doctor's  
10 office, which was not for us to do  
11 because we have a rental apartment,  
12 and the doctor's office is not part  
13 of that. We did try to do that, I  
14 am just not sure of the outcome at  
15 the time. But generally, that --  
16 that was what was going on.

17 Q. Okay.

18 And you mentioned Tiffany  
19 Chen. That is Mr. De Niro's  
20 girlfriend, correct?

21 A. Yes.

22 Q. And during the last few  
23 weeks of Ms. Robinson's employment,  
24 do you recall Ms. Robinson  
25 complaining to you that Ms. Chen was

1 M. TASCH

2 targeting her?

3 A. I do.

4 Q. And what exactly did Ms.

5 Robinson express to you about Ms.

6 Chen targeting her?

7 A. I think just as we are

8 talking about now, I think she was

9 expecting Chase/me, or both of us,

10 or one of us at a time, to -- to try

11 to rid this problem. We weren't

12 getting back to her, she felt,

13 quickly enough. Sort of stuff like

14 that.

15 Q. How did you respond to Ms.

16 Robinson's complaint that Ms. Chen

17 was targeting her?

18 MR. DROGIN: Objection to

19 the form.

20 A. I am not sure I understand

21 the question.

22 Q. Ms. Robinson also

23 complained to you that she was being

24 harassed by Ms. Chen?

25 MR. DROGIN: Objection to

1 M. TASCH

2 the form. You can answer.

3 A. I believe those were  
4 Chase's words.

5 Q. How did you respond to Ms.  
6 Robinson's complaint that Ms. Chen  
7 was harassing her?

8 A. I don't actually remember.  
9 I was trying to placate Chase  
10 because I know she was in a tough  
11 spot, but, you know, I don't know  
12 anything about harassment. It is  
13 not my area of expertise.

14 I do know two things, and  
15 again, it may not apply here, it  
16 may. Tiffany felt we weren't doing  
17 our job so she was putting the  
18 pressure on.

19 And secondarily, if you are  
20 an employee and work for an  
21 employer, you are responsible for  
22 taking care of things and doing  
23 things. Just as myself, as an  
24 accountant, to a client, if they ask  
25 me to do things, I am expected to do



1 M. TASCH

2 them. If I can't do them, I would  
3 let them know. And if I didn't let  
4 them know, than that would be my  
5 error.

6 Q. So did you tell anyone  
7 associated with Canal about Ms.  
8 Robinson's complaint that she was  
9 being harassed?

10 MR. DROGIN: Objection to  
11 the form.

12 A. Listen, I can make an  
13 educated guess, which I hate to do.  
14 You know, I might have spoken to Tom  
15 Harvey about it. Tom Harvey and I  
16 were speaking a lot at that time.  
17 If I did, he would be the only one.

18 Q. Okay.

19 And besides possibly  
20 talking to Tom Harvey, you didn't  
21 take any other action to address Ms.  
22 Robinson's complaint about being  
23 harassed, correct?

24 A. No.

25 MR. DROGIN: Matter

1 M. TASCH

2 objection to the form.

3 THE WITNESS: I'm sorry.

4 I'm sorry, Laurent.

5 MR. DROGIN: No, that is

6 okay. I will ask you later

7 what you understood the term

8 harassment to mean since she

9 was asking it.

10 A. I'm sorry, Ms. Sloan. Can

11 you repeat the question, please?

12 Q. I think that you have

13 answered it.

14 A. I have answered it? Okay.

15 Q. And you agreed with Ms.

16 Robinson that Ms. Chen's behavior

17 towards Ms. Robinson was harassment,

18 right?

19 MR. DROGIN: Can you just

20 clarify, are you asking for a

21 legal conclusion or are you

22 asking --

23 MS. SLOAN: I am asking

24 --

25 MR. DROGIN: Let me

1 M. TASCH

2 finish. Or the generic term  
3 of harassment. Because it is  
4 misleading, and you are doing  
5 it deliberately, so the  
6 record should be clear.

7 Ask him what he  
8 understood the harassment to  
9 be or to mean. As opposed to  
10 just trying to get him to  
11 agree with you, and then  
12 claim it means something  
13 other than what he  
14 understands. There is an  
15 ambiguity. Why don't you  
16 clear it up or I will on  
17 redirect?

18 Q. You conveyed to Ms.  
19 Robinson that you agreed that Mr.  
20 Chen's behavior was harassment,  
21 correct?

22 A. I did not agree with  
23 anything about harassment and what  
24 she said. As I told you three  
25 minutes ago, whatever I said, and I

1 M. TASCH  
2 don't remember, per se, I was  
3 placating her. I was trying to make  
4 her feel better. I know nothing  
5 about harassment from Tiffany, if  
6 there was. I don't even know what  
7 the word means, and I am not  
8 qualified to understand that.

9 Q. Towards the end of Ms.  
10 Robinson's employment at Canal, had  
11 you become concerned that Ms. Chen  
12 was falsely accusing Ms. Robinson of  
13 having an affair with Mr. De Niro?

14 A. I don't understand that  
15 question at all.

16 Q. Let me -- let me ask it  
17 again, and I will ask it a little  
18 bit slower and see if you understand  
19 it, and if not then we will --

20 A. I can understand it. You  
21 don't have to ask it slower. I  
22 don't understand the question.

23 Q. Towards the end of Ms.  
24 Robinson's employment at Canal, had  
25 you become concerned that Ms. Chen

1 M. TASCH

2 felt Ms. Robinson wanted to marry  
3 Mr. De Niro?

4 A. I don't even know what that  
5 means.

6 Q. You referred to Fatal  
7 Attraction when describing Ms. Chen  
8 in a conversation with Ms. Robinson,  
9 correct?

10 A. I don't recall. But if you  
11 say I did, then maybe I did.

12 Q. Do you know what you --  
13 what you would have meant by the  
14 reference to Fatal Attraction?

15 MS. JACOBS: Objection.

16 A. No idea.

17 MR. DROGIN: So the  
18 record is clear, Fatal  
19 Attraction is the movie with  
20 the insane woman who boiled  
21 the bunny and tried to  
22 (inaudible) and kill a family  
23 with a knife.

24 Q. What did Ms. Chen do that  
25 reminded you of the film Fatal

1 M. TASCH

2 Attraction?

3 A. I have no idea.

4 Q. Did Ms. Chen express

5 jealousy or anger towards Ms.

6 Robinson?

7 A. To whom?

8 Q. Did you observe Ms. Chen

9 expressing jealousy or anger towards

10 Ms. Robinson?

11 A. Observe? Was she standing

12 in front of me and doing that?

13 Q. Sure. We will start with

14 that.

15 A. No.

16 Q. Had you heard of -- from

17 another person of Ms. Chen

18 expressing jealousy or anger towards

19 Ms. Robinson?

20 A. Not that I recall.

21 Q. Did you ever observe --

22 okay. Let's -- we are going to

23 share another exhibit, so that will

24 appear in the chat. This was

25 previously marked as Plaintiff's

1 M. TASCH

2 Exhibit 25.

3 A. The same way? Jeremy is  
4 sending it and I will save it?

5 Q. Yes, that is exactly  
6 correct. And he just shared it, so  
7 hopefully you can see that.

8 A. It just popped up.

9 Q. So this is -- do you see it  
10 on your screen, Mr. Tasch?

11 A. Yes.

12 Q. Okay.

13 Let me know when you see  
14 it?

15 MS. JACOBS: Are these  
16 text messages?

17 MS. SLOAN: Yes.

18 Q. Do you see it Mr. Tasch?  
19 The first page says, "Short Message  
20 Report" on the -- at the top?

21 A. Yes, I do. Yes.

22 Q. Okay. Great.

23 So do you see on the first  
24 page where it says there are 20  
25 messages on April 4th, 2019, between

1 M. TASCH

2 Michael Kaplan and yourself?

3 A. I do.

4 Q. Okay. Great.

5 This is a text thread  
6 between you and Mr. Michael Kaplan.  
7 If you could scroll to the second  
8 page, and at the very bottom of the  
9 second page, 47463.

10 A. Could you -- Ms. Sloan,  
11 could you give me the time? It is  
12 easier for me to do it by the time  
13 on the right.

14 Q. Absolutely.

15 The time is 7:07 p.m. on  
16 the right.

17 A. 7:07 p.m. I'm sorry.  
18 Let's go up.

19 Q. It is at the bottom of page  
20 two.

21 A. Got you.

22 Q. ON April 4th?

23 A. It is from Kaplan to me?

24 Q. That is correct.

25 And Kaplan texted, "I heard



1 M. TASCH

2 Tiff e-mailed you about apartment  
3 expenses. We should strategize on  
4 this. She is trying to take down  
5 Chase of course."

6 And you responded, "We  
7 should."

8 A. I'm sorry. Okay, so yes.  
9 I read that. What was the next  
10 question?

11 Q. Okay.

12 So you read that -- those  
13 couple of texts?

14 A. The 7:07 one?

15 Q. Yes. And could you read  
16 the one at 7:35, your response to  
17 Mr. Kaplan at 7:35?

18 A. "We should. What time can  
19 I call you in the morning?" Yes.

20 Q. And you can also read the  
21 last -- the next one on the top of  
22 the third page at 7:39?

23 A. "Did you hear it from Bob,"  
24 is that what you want me to read?

25 Q. Yes. Thank you.

1 M. TASCH

2 MR. DROGIN: Can you ask  
3 him to read the next one,  
4 too?

5 Q. Sure.

6 You can read the next two  
7 texts.

8 A. "Can I call you at 8:45 and  
9 speak to you then?"

10 Q. Great. Perfect.

11 Do you recall what prompted  
12 the communication between you and  
13 Mr. Kaplan about Ms. Chen's efforts  
14 to take down Ms. Robinson?

15 A. I really don't recall.

16 Q. Do you recall if you ended  
17 up having a discussion with Mr.  
18 Kaplan about Ms. Chen's efforts to  
19 try to take down Ms. Robinson?

20 A. I will be very honest with  
21 you, I just don't recall.

22 MR. DROGIN: Objection to  
23 the form.

24 THE WITNESS: I'm sorry.

25 A. Did you hear my answer? Do

1 M. TASCH

2 you want me to repeat it?

3 Q. I heard it. I don't

4 recall.

5 You have described Ms. Chen

6 as a psychopath, correct?

7 A. If you tell me I have,

8 okay. I don't remember that.

9 Q. And why did you

10 characterize -- why would you

11 characterize Ms. Chen as a

12 psychopath?

13 MR. DROGIN: Objection to

14 the form.

15 MS. JACOBS: Same.

16 A. I will be honest with you,

17 I am just not sure, you know, when

18 -- when -- when I found out Tiffany

19 was around, so to speak, I don't

20 mean that in a bad way, you know,

21 very -- very protective of Bob is

22 really, you know, I feel part of my

23 job. Just in general, when he is

24 meeting people, he meets people, or

25 people get involved in his life, I

1 M. TASCH

2 try to be very careful myself

3 because of who he is. And, you

4 know, people do try to take

5 advantage of him or want to get in

6 his life, or do business with him.

7 So I didn't know Tiffany, and, you

8 know, after what had happened with

9 Grace, and, again, without

10 knowing -- because I did not know

11 Tiffany. But I really didn't want

12 to have a repeat potentially of --

13 Q. What was the end of that?

14 A. I'm sorry.

15 Q. You said -- I heard repeat.

16 Was that the end of your sentence?

17 A. Of the Grace situation.

18 Q. What was the Grace

19 situation?

20 A. Well, obviously they were

21 getting divorced, a complaint had

22 been filed, you know, he wasn't in a

23 good place with her, and she wasn't

24 a good person quite frankly, and he

25 deserved better.

1 M. TASCH

2 Q. What specifically did you  
3 observe that prompted you to call  
4 Ms. Chen a psychopath?

5 A. Again, you keep saying  
6 psychopath, and that may be true, I  
7 might have said it. I am just not  
8 sure back in the timing. I think  
9 frustration set in for us, in that  
10 short period of time, which I  
11 described with the mold and so  
12 forth, and the demands that were  
13 going on. You know, it just made it  
14 tough. And again, if I did said  
15 that word, I don't know why I would  
16 have used it. It just came out.  
17 She was a little hyper I would say  
18 for sure with -- with the e-mails  
19 going back and forth, and the  
20 promptness that she wanted, which we  
21 tried to do. And sometimes you  
22 can't please everybody.

23 Q. Do you recall describing  
24 Ms. Chen as a nut job?

25 A. I don't, but it certainly,

1 M. TASCH

2 at that time, would be possible.

3 Q. For some of the same  
4 reasons that you just described?

5 A. Yes.

6 MS. JACOBS: When you  
7 reach a natural stopping  
8 point, can we take a break?

9 MS. SLOAN: Yes. Let me  
10 see. This is actually a fine  
11 time for a break. This  
12 works.

13 MS. JACOBS: A few  
14 minutes?

15 MS. SLOAN: Five-minute  
16 break.

17 THE VIDEOGRAPHER: The  
18 time is 3:10 p.m. We are off  
19 the record.

20 (Whereupon, a recess was  
21 taken at this time.)

22 THE VIDEOGRAPHER: The  
23 time is 3:22 p.m. We are  
24 back on the record.

25 Q. Mr. Tasch, when exactly did

1 M. TASCH

2 you become aware that Mr. De Niro  
3 planned to have Canal file a lawsuit  
4 against Ms. Robinson?

5 A. When did I become aware? I  
6 became aware at some point that they  
7 were contemplating filing a lawsuit  
8 probably -- I mean, I am guessing at  
9 this point, but, you know, maybe May  
10 or something like that.

11 MS. SLOAN: Let's go off  
12 the record.

13 THE VIDEOGRAPHER: The  
14 time is 3:23 p.m. We are off  
15 the record.

16 (Whereupon, a recess was  
17 taken at this time.)

18 THE VIDEOGRAPHER: The  
19 time is now 3:25 p.m. We are  
20 back on the record.

21 Q. So you don't recall exactly  
22 when you became aware Mr. -- that  
23 Mr. De Niro was contemplating having  
24 Canal file a lawsuit?

25 A. I think I answered that I

1 M. TASCH

2 think I first heard about it I think  
3 in May.

4 Q. And how did you become  
5 aware?

6 A. Through Mr. Harvey.

7 Q. Mr. Tom Harvey?

8 A. Yes.

9 Q. And what do you recall  
10 being discussed with him?

11 A. I don't remember a lot, per  
12 se, just the fact that they were  
13 thinking of doing it. He thought  
14 that there was some improprieties.  
15 That is about it.

16 Q. When was the final decision  
17 made to bring suit against Ms.  
18 Robinson?

19 A. I don't recall that at all.

20 Q. Were you involved in any  
21 way in the decision by Canal to  
22 bring suit against Ms. Robinson?

23 A. Absolutely not.

24 Q. Did Mr. De Niro or anyone  
25 else consult with you about the



1 M. TASCH

2 decision to bring suit against Ms.  
3 Robinson?

4 A. Absolutely not.

5 Q. Did you provide any input  
6 to Mr. De Niro or anyone else  
7 concerning the decision to bring  
8 suit against Ms. Robinson?

9 A. I'm not sure that I  
10 understand the question.

11 Q. Did you give any input to  
12 Mr. De Niro about his decision to  
13 bring suit against Ms. Robinson?

14 A. That is the same question  
15 that you just asked, and I don't  
16 understand it.

17 Q. Did you advise Mr. De Niro  
18 or anyone else about the decision to  
19 bring suit against Ms. Robinson?

20 A. No.

21 Q. How many times did you  
22 communicate with Mr. De Niro about  
23 the plan to file a lawsuit against  
24 Ms. Robinson?

25 A. I don't recall ever talking

1 M. TASCH

2 to him about that. It is not my  
3 purview.

4 Q. How many times did you  
5 communicate with any Canal employees  
6 about the plan to file a lawsuit  
7 against Ms. Robinson?

8 A. I don't recall ever  
9 speaking to Canal employees about  
10 it.

11 Q. Do you recall ever speaking  
12 or communicating with any Canal  
13 attorneys about the plan to file a  
14 lawsuit against Ms. Robinson?

15 MR. DROGIN: Objection to  
16 the form. It is a yes-or-no  
17 question.

18 A. Yes.

19 Q. How many times did you have  
20 communications with any Canal  
21 attorneys about the plan to file a  
22 lawsuit against Ms. Robinson?

23 A. Sorry. I didn't let you  
24 finish. I apologize.

25 Q. That is okay.

1 M. TASCH

2 A. Are you done?

3 Q. Yes.

4 A. Okay. I don't recall.

5 Q. Was it more than once?

6 A. Yes.

7 Q. More than three times?

8 A. I am not going to guess at  
9 this point.

10 Q. When did you communicate  
11 with any Canal attorneys about the  
12 plan to file a lawsuit against Ms.  
13 Robinson?

14 MR. DROGIN: Objection to  
15 the form. You can answer it.

16 A. Okay. I don't recall.

17 Q. Describe all conversations  
18 that you had with any Canal attorney  
19 about the plan to file a lawsuit  
20 against Ms. Robinson?

21 A. I don't recall.

22 Q. You don't recall anything  
23 that was said in any of the  
24 conversations that you had with  
25 Canal attorneys?

1 M. TASCH

2 A. I don't understand the  
3 question.

4 MR. DROGIN: Are you  
5 specifically -- I am sort of  
6 letting this go. Are you  
7 specifically asking him to  
8 reveal to you the  
9 communications that he had  
10 with Canal's employees [sic]  
11 about facts or about a  
12 decision to bring a lawsuit.  
13 One is objectionable and the  
14 other is not. I just want to  
15 be clear.

16 MR. BENNETT: Can you  
17 read the question back?

18 (Whereupon, the requested  
19 portion was read back by the  
20 reporter:

21 Q: You don't recall  
22 anything that was said in any  
23 of the conversations that you  
24 had with Canal attorneys?)

25 MR. BENNETT: That is

1 M. TASCH

2 privileged.

3 MR. DROGIN: I think only  
4 because it is based on the  
5 premises of filing the  
6 lawsuit. If it is factual,  
7 just conveying facts, I don't  
8 know that I have a problem  
9 with that. But that hasn't  
10 been -- hasn't been asked.

11 Q. You saw a copy of the  
12 Complaint before it was filed,  
13 correct?

14 A. I don't recall.

15 Q. What role did you play in  
16 developing the allegations in  
17 Canal's lawsuit against Ms.  
18 Robinson?

19 A. I didn't play a role in any  
20 allegations against Ms. Robinson.

21 Q. What role did you play in  
22 verifying the allegations in Canal's  
23 lawsuit against Ms. Robinson?

24 A. I don't understand the  
25 question. Do you have a particular

1 M. TASCH

2 question that you want to ask?

3 Q. Well, this is the  
4 particular question.

5 A. It is a general question.  
6 It is not a particular question.

7 Q. Did you play any role in  
8 verifying whether any of the  
9 allegations in Canal's lawsuit  
10 against Ms. Robinson were accurate?

11 MR. DROGIN: Objection to  
12 the form.

13 A. I am going to say that I am  
14 not sure that I understand the  
15 question.

16 Q. Were you consulted on  
17 verifying whether any of the  
18 allegations in Canal's lawsuit were  
19 accurate?

20 MR. DROGIN: Same  
21 objection to the form.

22 A. I was consulted about one  
23 particular thing.

24 Q. And what particular thing  
25 were you consulted about?

1 M. TASCH

2 A. About the air miles that  
3 she stole.

4 Q. Okay.

5 Besides the air miles, did  
6 you play any role in verifying  
7 whether any of the allegations in  
8 Canal's lawsuit were accurate?

9 A. No.

10 MR. DROGIN: Objection to  
11 the form.

12 THE WITNESS: Sorry,  
13 Laurent.

14 MR. DROGIN: Don't worry  
15 about it.

16 Q. Just to confirm, your  
17 answer was no, correct?

18 A. Can you just repeat the  
19 question again so I can be sure?

20 MS. SLOAN: Paige, can  
21 you read it back?

22 THE WITNESS: Paige, can  
23 you read it back?

24 (Whereupon, the requested  
25 portion was read back by the

1 M. TASCH

2 reporter:

3 Q: Besides the air  
4 miles, did you play any role  
5 in verifying whether any of  
6 the allegations in Canal's  
7 lawsuit were accurate?)

8 A. I did not.

9 Q. What specifically were you  
10 consulted about with respect to the  
11 air miles?

12 A. They asked me to check if  
13 she took air miles and I verified it  
14 with American Express.

15 Q. What, specifically, did you  
16 verify?

17 A. You just asked me. We are  
18 talking about the air miles.

19 Q. Did you -- you verified  
20 that -- can you just please describe  
21 what you did to verify the air  
22 miles?

23 A. I spoke to American  
24 Express.

25 Q. And you just verified the



1 M. TASCH

2 dates and the amount of transfers?

3 A. Yes. Correct.

4 Q. Okay.

5 To your knowledge, did any

6 Berdon employee play a role in

7 developing the allegations in

8 Canal's lawsuit against Ms.

9 Robinson?

10 A. No.

11 MS. JACOBS: Objection to

12 the form.

13 Q. Can you answer the

14 question?

15 A. No.

16 Q. To your knowledge, did any

17 Berdon employee do anything to

18 evaluate whether any of the

19 allegations in Canal's lawsuit were

20 accurate?

21 A. No.

22 Q. As far as you know, who

23 prepared the calculations set forth

24 in the Canal lawsuit against Ms.

25 Robinson?

1 M. TASCH

2 A. I don't understand what  
3 calculation you are talking about.

4 Q. As far as you know, who  
5 prepared the damage number set forth  
6 in the Canal lawsuit against Ms.  
7 Robinson?

8 A. Wasn't that the same  
9 question that you just asked me?  
10 Calculate damages, same thing. And  
11 the answer was no.

12 Q. Well, just to be clear, I  
13 am asking who prepared it, and so --

14 A. You asked the same question  
15 twice and the answer is no to both.

16 Q. Canal's lawsuit contained a  
17 lot of numbers about alleged  
18 expenditures, correct?

19 MR. DROGIN: Objection to  
20 the form. Can I just -- can  
21 you just read that back  
22 because I may want to see  
23 that written out and tape it  
24 to the wall? Can you reread  
25 that?

1 M. TASCH

2 (Whereupon, the requested  
3 portion was read back by the  
4 reporter:

5 Q: Canal's lawsuit  
6 contained a lot of numbers  
7 about alleged expenditures,  
8 correct?)

9 MR. DROGIN: This is the  
10 Complaint that he testified  
11 that he didn't see?

12 Q. Mr. Tasch --

13 A. He just asked a question.  
14 Is somebody going to answer him?

15 Q. No. I asked the question  
16 and I am waiting for your response.

17 A. Ask the question again.

18 Q. Canal's lawsuit contained  
19 different numbers about alleged  
20 expenditures, correct?

21 A. Not sure.

22 Q. So as far as you know, do  
23 you have any idea about who prepared  
24 the numbers set forth in Canal's  
25 lawsuit?

1 M. TASCH

2 A. I do not.

3 Q. To your knowledge, did any  
4 Berdon employee have any involvement  
5 in preparing the numbers that  
6 appeared in Canal's lawsuit against  
7 Ms. Robinson?

8 A. I think you just asked that  
9 question a minute ago.

10 Q. And to be clear, the answer  
11 was no, correct?

12 A. Yes. Yes, it is correct  
13 that the answer is no.

14 Q. Thank you.

15 To your knowledge, did any  
16 Berdon employee have any involvement  
17 in Canal's decision to seek \$6  
18 million from Ms. Robinson?

19 A. No.

20 Q. Do you have any knowledge  
21 of how Canal came up with the number  
22 \$6 million in its request for  
23 damages in the State Court lawsuit?

24 A. No.

25 Q. Did there come a time when

1 M. TASCH

2 you became aware that Mr. De Niro  
3 planned to have contact -- planned  
4 to contact the Manhattan District  
5 Attorney's Office about Ms.  
6 Robinson?

7 A. I don't understand the  
8 question.

9 Q. Did there come a time when  
10 you became aware that Mr. De Niro --

11 A. You came in and out on the  
12 beginning, please. Can you start  
13 again?

14 Q. Let me start over.

15 Did there come a time when  
16 you became aware that Mr. De Niro  
17 wanted to contact the Manhattan  
18 District Attorney's Office about Ms.  
19 Robinson?

20 A. I don't understand the  
21 question. You just asked the same  
22 question again.

23 Q. I rephrased it slightly,  
24 but let me back up.

25 Are you aware that Mr. De

1 M. TASCH

2 Niro contacted the Manhattan  
3 District Attorney's Office about Ms.  
4 Robinson?

5 A. I don't recall that, no.

6 Q. You weren't involved at all  
7 in Mr. De Niro's decision to contact  
8 the Manhattan District Attorney's  
9 Office, is that correct?

10 A. That is correct.

11 Q. Do you recall any -- having  
12 any communications with Mr. De Niro  
13 about the Manhattan District  
14 Attorney's Office with respect to  
15 Ms. Robinson?

16 A. I did not.

17 Q. And you didn't provide any  
18 input to Mr. De Niro or anyone else  
19 concerning the decision to contact  
20 the Manhattan District Attorney's  
21 Office about Ms. Robinson?

22 A. That is correct.

23 Q. Did the Manhattan District  
24 Attorney's Office reach out to  
25 Berdon concerning the allegations

1 M. TASCH

2 against Ms. Robinson?

3 A. Yes, they did.

4 Q. And do you recall when that  
5 happened?

6 A. I do not recall the  
7 timeframe.

8 Q. And who reached out to  
9 Berdon?

10 A. An assistant district  
11 attorney.

12 Q. Do you remember their name?

13 A. It was a young lady. I  
14 know that for sure. I'm not sure of  
15 the name.

16 Q. Was it Kelly Thomas?

17 A. That name does sound  
18 familiar, yes.

19 Q. And how did Ms. Thomas  
20 reach out to Berdon?

21 A. You are asking me if she  
22 called me or e-mailed me, is that  
23 the question?

24 Q. Yes.

25 A. You know what, I will be

1 M. TASCH

2 honest with you, I am not positive.

3 I believe she reached out by phone.

4 Q. Okay.

5 What did she say?

6 A. She left me a message that

7 she wanted to speak to me about the

8 De Niro case.

9 Q. And so she reached out to  
10 you directly?

11 A. She did.

12 Q. Okay.

13 And had you known that  
14 anyone associated with Canal had  
15 been in touch with the Manhattan  
16 District Attorney's Office prior to  
17 receiving that voicemail?

18 A. I'm not sure I understand  
19 the question.

20 Q. When you received that  
21 voicemail from Ms. Thomas, was that  
22 the first time that you heard of the  
23 Manhattan District Attorney's Office  
24 involvement with Ms. Robinson and  
25 Mr. De Niro?



1 M. TASCH

2 A. Sorry. I will be very  
3 honest with you, I don't recall.

4 Q. Okay.

5 And what did Ms. Thomas  
6 communicate to you?

7 A. I will be honest with you,  
8 also, I just don't recall.

9 Q. Did you call Ms. Thomas  
10 back?

11 A. I eventually did call her  
12 back, yes.

13 Q. And did you reach Ms.  
14 Thomas?

15 A. I eventually did reach Ms.  
16 Thomas, yes.

17 Q. And in the voicemail, did  
18 she convey what she was looking for?

19 A. I don't recall.

20 Q. Okay.

21 And when you reached Ms.  
22 Thomas, what -- what did you  
23 discuss?

24 A. I'm not sure, being honest,  
25 that I discussed anything. I think

1 M. TASCH

2 at that point once I called her back  
3 I believe she wanted to meet.

4 Q. Okay.

5 And do you recall when you  
6 called her back, what -- what month  
7 and year that was?

8 A. I do not. It was certainly  
9 a few weeks or more after she called  
10 me.

11 Q. Okay.

12 Did you end up meeting with  
13 Ms. Thomas?

14 A. I did go down to the DA's  
15 office. I think we met with her.  
16 We might have met with somebody  
17 first. There was somebody else we  
18 did meet with I think before we met  
19 with her, or maybe in a combination  
20 meeting. I just don't remember, per  
21 se.

22 Q. Who else was with you  
23 during that meeting?

24 A. Tom Harvey.

25 Q. And is that all?

1 M. TASCH

2 A. Yes.

3 Q. Okay.

4 And how many people from  
5 the Manhattan District Attorney's  
6 Office did you meet with?

7 A. I believe we -- we might  
8 have met with Kelly Thomas' boss at  
9 first, and it might have been the  
10 four of us. I think he left, and  
11 then it was just the three of us.

12 Q. Okay.

13 And how long did that  
14 meeting last?

15 A. I will give you an educated  
16 guess, maybe an hour, hour and 15  
17 minutes.

18 Q. Okay.

19 Did you bring any documents  
20 to that meeting?

21 A. Not that I recall.

22 Q. Do you recall if you looked  
23 at documents in advance of going to  
24 that meeting?

25 A. Not that I recall.

1 M. TASCH

2 Q. Did the Manhattan District  
3 Attorney's Office Subpoena any  
4 records from Berdon?

5 A. You know, again, honestly  
6 educated answer, I believe either  
7 they were -- maybe they gently asked  
8 us to provide information, and if we  
9 didn't provide it, they were going  
10 to subpoena. So I don't know if  
11 they actually did subpoena.

12 Q. Did you provide information  
13 to the Manhattan District Attorney's  
14 Office?

15 A. I -- you know, honestly, I  
16 don't want to answer incorrectly, so  
17 I honestly don't recall.

18 Q. Just to be clear, you don't  
19 recall if you provided any records  
20 --

21 A. I just don't recall.  
22 Sorry.

23 Q. I just want to make sure  
24 that you don't recall if Berdon  
25 provided any documents or any

1 M. TASCH

2 records of any type to the Manhattan  
3 District Attorney's Office?

4 A. I just don't recall. I  
5 really don't.

6 Q. And do you recall what the  
7 Manhattan District Attorney's Office  
8 -- what type of information they  
9 asked from you?

10 A. If my memory serves me  
11 correctly, I think it was about, you  
12 know, some of the allegations in the  
13 lawsuit I believe.

14 Q. Do you remember which  
15 specific allegations?

16 A. I don't. I would only be  
17 guessing at this point.

18 Q. Okay.

19 To your knowledge -- okay.

20 Can you walk me through  
21 everything that was said during that  
22 meeting with Ms. Thomas and Mr.  
23 Harvey?

24 A. I don't recall.

25 Q. Did Ms. Thomas ask you

1 M. TASCH

2 questions about the allegations  
3 against Ms. Robinson?

4 A. I don't recall.

5 Q. Do you recall anything at  
6 all that Ms. Thomas said?

7 A. I do not.

8 Q. Do you recall anything at  
9 all that you said at that meeting?

10 A. I do not.

11 Q. Do you recall anything at  
12 all that Tom Harvey said in that  
13 meeting?

14 A. I do not.

15 Q. Do you recall anything at  
16 all that Ms. Thomas' boss might have  
17 said in that meeting?

18 A. Clearly not there.

19 Q. Is that the only time that  
20 you met with anyone from the  
21 Manhattan District Attorney's  
22 Office?

23 A. I believe in person that  
24 was the only time.

25 Q. Okay.

1 M. TASCH

2 So we discussed one phone  
3 call that you had with Ms. Thomas,  
4 and in that phone call you set up  
5 this meeting, is that correct? The  
6 meeting that we were just talking --  
7 discussing?

8 A. Yes. Again, she had called  
9 me and left a message, I eventually  
10 got back to her, and then she wanted  
11 to have a meeting.

12 Q. Okay.

13 So then you had this  
14 meeting. Were there other  
15 communications that you had with Ms.  
16 Thomas either over the phone or over  
17 e-mail?

18 A. Definitely not over the  
19 phone, and I don't recall about the  
20 e-mail.

21 Q. Okay.

22 So after the meeting that  
23 you just described, with Mr. Tom  
24 Harvey, you may have had further  
25 communications over e-mail with Ms.

1 M. TASCH

2 Thomas, but you don't recall?

3 A. I just don't recall.

4 Q. When you had the meeting  
5 with Ms. Thomas and Mr. Harvey, do  
6 you know if Ms. Thomas had  
7 previously met with Canal employees?

8 A. I don't know the answer to  
9 that question.

10 Q. Do you know if Ms. Thomas  
11 had previously met with Mr. De Niro  
12 at that point?

13 A. My belief is she did not  
14 meet with Mr. De Niro.

15 Q. To your knowledge, did you  
16 prepare any documents that were --  
17 that were eventually shared with the  
18 Manhattan District Attorney's  
19 Office?

20 A. You have to explain to me  
21 prepare.

22 Q. Okay.

23 To your knowledge, did you  
24 put together any documents or  
25 compile any documents that were



1 M. TASCH

2 eventually shared with the Manhattan  
3 District Attorney's Office?

4 A. The answer to that is that  
5 I could have -- again, I am going to  
6 ask for clarification. What do you  
7 mean by compiled?

8 Q. Well, it -- to your  
9 knowledge, did you compile any  
10 information at all that --

11 A. You are asking about  
12 compiled. I am asking you what you  
13 mean by that word. You can't use  
14 the same word again when I am asking  
15 you what it means.

16 Q. To your knowledge, did you  
17 pull together any information that  
18 was then shared with the -- that was  
19 shared at any time with the  
20 Manhattan District Attorney's  
21 Office?

22 A. Since I am not positive, I  
23 am going to say that I don't recall.

24 Q. Okay.

25 MS. SLOAN: I would ask

1 M. TASCH

2 for a five-minute break now.

3 Thanks, everyone.

4 THE VIDEOGRAPHER: The  
5 time is 3:51 p.m. We are off  
6 the record.

7 (Whereupon, a recess was  
8 taken at this time.)

9 THE VIDEOGRAPHER: The  
10 time is now 4:01 p.m. We are  
11 back on the record.

12 (Whereupon, Plaintiff's  
13 Exhibit 135, Canal 0051748  
14 through 56, was marked for  
15 identification, as of this  
16 date.)

17 Q. Mr. Tasch, we are going to  
18 share another document in the chat,  
19 and that is going to be marked 135,  
20 and this is Bates stamped Canal  
21 0051748 through 56. And once you  
22 open that -- you can take a second  
23 to open it.

24 Just for the record, I will  
25 now begin my questioning you in your

1 M. TASCH  
2 capacity as Rule 30(b)(6) witness on  
3 behalf of Canal Productions, Inc.

4 Mr. Tasch, do you  
5 understand that your testimony  
6 during this portion of the  
7 deposition is given in your capacity  
8 as a witness on behalf of Canal?

9 A. Yes.

10 Q. Okay. Great. Thank you.

11 So turning back to the  
12 document shared in the chat, are you  
13 able to open that?

14 A. I will tell you in a  
15 second.

16 Q. Great.

17 A. Yes, got it.

18 Q. Okay.

19 Do you recognize this  
20 document?

21 A. I do not.

22 Q. Okay.

23 Why don't you scroll  
24 through this just to -- for -- you  
25 don't have to read every word, but

1 M. TASCH

2 just scroll through. It is a  
3 nine-page document.

4 Have you ever seen this  
5 document before?

6 A. No.

7 Q. Is there a policy -- okay.

8 Have you -- are you aware  
9 of Canal having a discrimination,  
10 harassment, and retaliation policy?

11 A. Repeat the question,  
12 please?

13 Q. Are you aware that Canal  
14 had a -- has a nondiscrimination and  
15 antiharassment policy?

16 A. I don't recall.

17 Q. Okay.

18 And Mr. Tasch, you are here  
19 as Canal's official witness  
20 concerning Canal's policies,  
21 procedures and protocols concerning  
22 discrimination, harassment, and  
23 retaliation.

24 During Ms. Robinson's  
25 employment, what was Canal's policy

1 M. TASCH

2 concerning discrimination,  
3 harassment, and retaliation?

4 A. Listen, I am not sure about  
5 that because policies and procedures  
6 were not set by me. They were set  
7 by Canal and Chase.

8 Q. You do understand that you  
9 are Canal's designated witness on  
10 Canal's policies, procedures, and  
11 protocols concerning discrimination,  
12 harassment, and retaliation?

13 A. You just said that to me a  
14 minute ago.

15 Q. Right.

16 Are you aware of that?

17 A. I am aware that I am here.  
18 But let's be clear about their  
19 policies and procedures. They are  
20 not set by us. They are set by  
21 Canal and Chase.

22 Q. As you sit here today, are  
23 you able to testify about Canal's  
24 policies, and procedures, and  
25 protocols concerning discrimination,

1 M. TASCH

2 harassment, and retaliation?

3 MR. DROGIN: Objection to  
4 the form. He indicated to  
5 you they were set by Canal  
6 and Chase.

7 MS. SLOAN: Paige, can  
8 you read back the question  
9 for Mr. Tasch?

10 (Whereupon, the requested  
11 portion was read back by the  
12 reporter:

13 Q: As you sit here  
14 today, are you able to  
15 testify about Canal's  
16 policies, and procedures, and  
17 protocols concerning  
18 discrimination, harassment,  
19 and retaliation?)

20 A. So the question is, am I  
21 prepared to testify on that?

22 Q. Are you able to testify on  
23 that topic? Yes.

24 MR. DROGIN: Objection to  
25 the form. You are -- you are

1 M. TASCH

2 asking him questions about --

3 you should also demarcate

4 that this is now a different

5 relevant period of time

6 pursuant to the 30(b)(6)

7 Notice. You are confining it

8 to a period of time when

9 Chase was employed, correct?

10 I don't have it in front of

11 me.

12 Q. So Mr. Tasch, do you have

13 an answer for that question?

14 A. What is the question,

15 again?

16 Q. I will --

17 A. You want me to testify on

18 policies that I didn't set?

19 Q. Sitting here today, are you

20 able to --

21 A. Do you want me to testify

22 on policies that I didn't --

23 MS. JACOBS: Michael --

24 Michael, let her --

25 THE WITNESS: Okay.

1 M. TASCH

2 Q. Sitting here today, are you  
3 able to testify about Canal's  
4 policies, procedures, and protocols  
5 concerning discrimination,  
6 harassment, and retaliation between  
7 October 3, 2013, and April 6, 2019?

8 A. No.

9 MR. DROGIN: Will you ask  
10 him why not?

11 MS. SLOAN: If Mr. Tasch  
12 is unprepared, he is  
13 unprepared.

14 MS. JACOBS: That is not  
15 what he said.

16 MR. DROGIN: He has  
17 explained it to you. You  
18 are, again, evading. Chase  
19 --

20 A. I am not saying I am not  
21 prepared.

22 MR. DROGIN: Hold on. He  
23 told you Chase set the  
24 policies.

25 MS. SLOAN: Canal is the



1 M. TASCH  
2 one who designated Mr. Tasch  
3 as a witness on this topic.

4 MR. DROGIN: Then we  
5 would redesignate Chase  
6 Robinson. We will do that.  
7 We will redesignate Chase  
8 Robinson as the 30(b)(6)  
9 witness and she can explain  
10 the policies since she put  
11 them all into place and  
12 administered them. Ask him  
13 about that. That is what he  
14 is prepared to testify about.  
15 You are evading the questions  
16 that you want answered.

17 MS. SLOAN: We are going  
18 to move to our next line of  
19 questioning.

20 Q. At Canal, Mr. De Niro is  
21 the person who sets employee's  
22 compensation, correct?

23 A. Correct.

24 Q. At Canal, Mr. De Niro was  
25 the person that set Ms. Robinson's

1 M. TASCH

2 pay, correct?

3 A. Correct.

4 Q. At Canal, Mr. De Niro is  
5 the person who set Dan Harvey's pay,  
6 correct?

7 A. Well, instead of asking  
8 individual questions, why don't we  
9 get to the real question. He is the  
10 president of the company and he sets  
11 all the compensations.

12 Q. That includes Dan Harvey,  
13 correct?

14 A. Well, if I said all the  
15 employees, he is an employee of  
16 Canal.

17 Q. During Ms. Robinson's  
18 employment with Canal, did Canal  
19 have any kind of formal system for  
20 setting employee compensation?

21 A. No. None that I knew of.

22 Q. Canal never had any  
23 formal performance review system,  
24 correct?

25 A. You would have to ask Chase

1 M. TASCH

2 that question.

3 Q. Are you aware of any formal  
4 performance review system?

5 A. You would have to ask Chase  
6 that question.

7 Q. I am asking about your  
8 awareness, Mr. Tasch?

9 A. I am not aware of anything.  
10 MR. DROGIN: Hold on.

11 (Simultaneous speaking)

12 A. -- set by Chase.

13 Q. If you don't know the  
14 answer to my question, you can  
15 simply say that I don't know.

16 Prior to --

17 MR. DROGIN: And if Chase  
18 is the one who knows the  
19 question, you should identify  
20 Chase as the one that knows  
21 the answer.

22 THE WITNESS: That is  
23 what I am doing.

24 Q. Prior to 2017 -- I am  
25 asking -- okay.

1 M. TASCH

2 Prior to 2017, Canal's  
3 standard operating procedure was not  
4 to pay any employees overtime,  
5 correct?

6 MR. DROGIN: That, I  
7 believe, he can answer.

8 A. I would not know about that  
9 policy and procedure.

10 Q. Mr. Tasch, you are here,  
11 again, as an official witness  
12 designated by Canal to testify about  
13 the policies, procedures, and  
14 protocols concerning employee  
15 compensation, perks, and benefits.

16 You understand that,  
17 correct?

18 A. Yes.

19 Q. Okay. So now I am asking  
20 --

21 MS. JACOBS: I'm sorry.  
22 Before you ask the question,  
23 can we go off the record for  
24 a second?

25 MS. SLOAN: Sure. Let's

1 M. TASCH

2 go off the record.

3 THE VIDEOGRAPHER: The  
4 time is 4:11 p.m. We are off  
5 the record.

6 (Whereupon, a recess was  
7 taken at this time.)

8 THE VIDEOGRAPHER: The  
9 time is now 4:16 p.m. We are  
10 back on the record.

11 Q. Mr. Tasch, Canal only  
12 started paying certain employees  
13 overtime in 2017, is that correct?

14 A. I don't recall the  
15 timeframe, but they were getting  
16 paid overtime.

17 Q. At some point Canal  
18 employees began getting paid  
19 overtime, is that correct?

20 A. Well, when you say,  
21 "began," I'm not sure. I got all  
22 that information from Chase, and  
23 when I was provided with the  
24 information on overtime, we paid  
25 them overtime.

1 M. TASCH

2 Q. So you don't recall if  
3 there was a change in overtime  
4 practices at some point in the past  
5 --

6 A. I do not. As far as I  
7 knew -- as far as I knew, there  
8 should -- there was supposed to be  
9 overtime, period. I never got the  
10 information. As I said, Chase  
11 provided it, and when she provided  
12 it, we paid them.

13 Q. What overtime policies or  
14 practices, or prior to -- let me  
15 rephrase that.

16 Prior to 2017, Canal did  
17 not pay any employees overtime?

18 A. You just asked me that  
19 question.

20 MR. DROGIN: Objection to  
21 the form. You can answer.

22 A. I'm sorry, Ms. Sloan. You  
23 want to repeat yourself? I cut  
24 Laurent off.

25 Q. That is okay, Mr. Tasch.

1 M. TASCH

2 Prior to 2017, Canal did  
3 not pay any employees overtime?

4 MR. DROGIN: Objection.

5 You are mischaracterizing his  
6 testimony. He explained to  
7 you that if Chase said to pay  
8 overtime, it was paid. Why  
9 do you keep changing what he  
10 said?

11 Q. Canal never paid Ms.  
12 Robinson overtime, is that correct?

13 A. As far as I know, that is  
14 correct. But she was in control of  
15 that. So if she didn't report it to  
16 us, she didn't get paid.

17 Q. Did there come a time when  
18 Canal changed its overtime policies  
19 or practices?

20 A. Not that I know. As far as  
21 I know, overtime was always  
22 available.

23 Q. How did Canal determine  
24 which employees were eligible to  
25 receive overtime pay?

1 M. TASCH

2 A. That was determined by  
3 Chase.

4 Q. And I am asking you. How  
5 did Canal determine which employees  
6 were eligible to receive overtime?

7 A. Canal has their own  
8 policies and practices put in place  
9 by Chase. You should ask her that  
10 question.

11 Q. Well, Canal has designated  
12 you as the official --

13 A. I understand that. But I  
14 don't know the policies and  
15 procedures. I get the information  
16 from her.

17 Q. Mr. Tasch, you are not  
18 prepared to testify about the  
19 policies, procedures, and protocols  
20 with respect to employee  
21 compensation for overtime, is that  
22 correct?

23 MR. DROGIN: Objection.

24 It is leading and it is a  
25 misleading question. The



1 M. TASCH  
2 problem we have here is that  
3 your client controlled  
4 everything. She is the one  
5 who has this information. I  
6 cannot designate her as a  
7 witness. So the company does  
8 the best that it can, and it  
9 has presented the person who  
10 dealt directly with her on  
11 the questions that you are  
12 asking about. That is the  
13 best we are going to do. If  
14 you are not happy with it, I  
15 will redesignate Chase, and  
16 then you can ask your client  
17 questions, which I assume you  
18 would have done anyway, but  
19 maybe you will get honest  
20 answers.

21 It is like if someone  
22 died, you don't have them  
23 available to answer questions  
24 so you reconstruct as best as  
25 you can.

1 M. TASCH

2 Ask him about all the  
3 other things.

4 Q. So the bottom line is that  
5 you are not familiar with the  
6 specifics of Canal's policies and  
7 procedures with respect to overtime  
8 during the period from October 3,  
9 2013, to April 6, 2019, is that  
10 correct?

11 MR. DROGIN: Objection to  
12 the form, and it is a leading  
13 question.

14 Q. You can answer the  
15 question, Mr. Tasch.

16 A. I don't even understand the  
17 question.

18 Q. Okay.  
19 What part of the question  
20 don't you understand, Mr. Tasch?

21 A. I don't understand the  
22 question.

23 Q. Are you able to testify  
24 about the specifics of Canal's  
25 policies, procedure, and protocols

1 M. TASCH  
2 with respect to overtime during the  
3 period from October 3, 2013, to  
4 April 6th, 2019?

5 MR. DROGIN: Objection to  
6 the form. Ask him a question  
7 and you will find out. You  
8 are asking incredibly broad  
9 questions. You are  
10 challenging him as to whether  
11 or not he is prepared to  
12 answer a question that --

13 (Simultaneous speaking)

14 MS. SLOAN: Counsel,  
15 please stop.

16 Q. Mr. Tasch you should answer  
17 the question.

18 A. I don't understand the  
19 question.

20 MR. DROGIN: Do you see  
21 the problem? You haven't  
22 asked a question.

23 MS. SLOAN: I have asked  
24 multiple questions.

25 MR. DROGIN: And you have

1 M. TASCH

2 gotten answers.

3 Q. Mr. Tasch, are you familiar  
4 with the details of Canal's  
5 policies, procedures, and protocols  
6 with respect to overtime during the  
7 period from October 3, 2013, to  
8 April 6, 2019?

9 A. I don't understand the  
10 question.

11 MR. DROGIN: And it is  
12 asked and answered.

13 Q. Mr. Tasch, have you  
14 discussed overtime pay policies with  
15 Mr. De Niro?

16 A. I have not.

17 Q. Which employees did Canal  
18 pay overtime during the period from  
19 October 3, 2013, to April 6, 2019?

20 A. I am not sure about all the  
21 ones. I can know the ones recently,  
22 for example, Sabrina, or Jillian, or  
23 Kaplan, if he worked overtime. But,  
24 again, all that information came  
25 through Chase.

1 M. TASCH

2 Q. Has Canal faced complaints  
3 of overtime violations?

4 MR. DROGIN: This is  
5 during the period of time  
6 identified in the 30(b)(6).

7 Q. Mr. Tasch?

8 A. Not that I recall.

9 Q. Prior to 2017, were any  
10 employees paid overtime?

11 MS. JACOBS: I didn't  
12 hear the last word.

13 Q. Prior to 2017, were any  
14 employees paid overtime?

15 A. I don't recall.

16 Q. During Ms. Robinson's  
17 employment, Canal didn't have a  
18 written policy about use of Canal  
19 credit cards, correct?

20 A. Not that I knew of.

21 Q. During Ms. Robinson's  
22 employment, Canal afforded  
23 discretion to Ms. Robinson about  
24 what charges to place on Canal  
25 credit cards, correct?

1 M. TASCH

2 A. I don't even know what that  
3 question means.

4 Q. When Ms. Robinson was  
5 employed by Canal, she was given  
6 discretion about what charges to  
7 place on Canal's credit card,  
8 correct?

9 A. I don't know the answer to  
10 that question.

11 Q. During Ms. Robinson's  
12 employment, Canal did not  
13 communicate any specific limits to  
14 Ms. Robinson on what types of  
15 expenses she could use a Canal  
16 credit card for, correct?

17 MR. DROGIN: Objection to  
18 the form. Hold on.

19 Objection to the form.

20 Q. You should answer now, Mr.  
21 Tasch.

22 A. I don't know the answer.

23 Q. During Ms. Robinson's  
24 employment, Canal did not require  
25 Ms. Robinson to seek Mr. De Niro's

1 M. TASCH

2 specific approval before placing  
3 meal expenses on a Canal credit  
4 card, correct?

5 A. I don't have the answer to  
6 that question.

7 Q. During Ms. Robinson's  
8 employment, Canal did not require  
9 Ms. Robinson to seek Mr. De Niro's  
10 specific approval before placing  
11 transportation expenses on a Canal  
12 credit card, is that correct?

13 A. I don't know if that is  
14 correct or not.

15 Q. During Ms. Robinson's  
16 employment, Canal didn't have a  
17 written policy about the use of  
18 petty cash, correct?

19 A. I'm not sure I understand  
20 the question.

21 Q. During Ms. Robinson's  
22 employment, Canal didn't have a  
23 written policy about when -- about  
24 any use of petty cash or receiving  
25 reimbursement through petty cash, is

1 M. TASCH

2 that correct?

3 A. That is the same question  
4 that you just asked a minute ago,  
5 which I don't understand the  
6 question.

7 Q. Canal didn't have any  
8 written policy about what charges  
9 employees could seek reimbursement  
10 from petty cash, correct?

11 A. I still don't understand  
12 the question.

13 Q. During Ms. Robinson's  
14 employment, did Canal have any  
15 written policy concerning the  
16 circumstances when employees could  
17 use petty cash?

18 A. I don't recall.

19 Q. During Ms. Robinson's  
20 employment, Canal did not  
21 communicate any specific limits to  
22 Ms. Robinson on what types of  
23 expenses she could use petty cash  
24 for, correct?

25 A. I don't know.



1 M. TASCH

2 Q. During Ms. Robinson's  
3 employment, Canal did not require  
4 Ms. Robinson to seek Mr. De Niro's  
5 specific approval before using petty  
6 cash to buy meals, is that correct?

7 A. I don't know.

8 Q. During Ms. Robinson's  
9 employment, Canal did not require  
10 Ms. Robinson to seek Mr. De Niro's  
11 specific approval before using petty  
12 cash to -- for transportation  
13 charges, is that correct?

14 A. You just asked that  
15 question a minute ago. I am going  
16 to give you the same answer. I  
17 don't know. You asked me the same  
18 question.

19 Q. To be clear, the previous  
20 question was about meal expenses,  
21 and this question is about  
22 transportation expenses.

23 Do you know for either of  
24 those?

25 A. Repeat the question?

1 M. TASCH

2 MS. SLOAN: Paige, can  
3 you read back the previous  
4 question?

5 (Whereupon, the requested  
6 portion was read back by the  
7 reporter:

8 Q: During Ms. Robinson's  
9 employment, Canal did not  
10 require Ms. Robinson to seek  
11 Mr. De Niro's specific  
12 approval before using petty  
13 cash to -- for transportation  
14 charges, is that correct?)

15 A. I do not know the answer to  
16 that.

17 Q. There was a Canal credit  
18 card in Ms. Robinson's name,  
19 correct?

20 A. Yes.

21 Q. The Canal American Express  
22 card under Ms. Robinson's name was  
23 the main card used for expenses for  
24 Canal's office and Canal's office  
25 employees, correct?

1 M. TASCH

2 MR. DROGIN: Objection to  
3 the form. Can you explain  
4 what you mean by main?

5 MS. SLOAN: The primary  
6 credit card.

7 MR. DROGIN: Still  
8 objection.

9 A. I don't understand the  
10 question, so it is irrelevant.

11 Q. Did Berdon employees have  
12 access to the Canal credit card that  
13 was in Ms. Robinson's name?

14 A. I don't understand the  
15 question.

16 Q. Would Berdon employees use  
17 the Canal credit card that was in  
18 Ms. Robinson's name?

19 A. I don't recall.

20 Q. During Ms. Robinson's  
21 employment, what was the main credit  
22 card used for expenses for Canal's  
23 office and Canal's office employees?

24 MR. DROGIN: Objection to  
25 the form of the question.

1 M. TASCH

2 A. Again, as we talked about  
3 early on today, with credit cards,  
4 one was used for personal and one  
5 was used for office. I just don't  
6 know -- and one was in Chase's, I  
7 just don't remember what was used  
8 for each one.

9 Q. Okay.

10 And we touched on this a  
11 bit earlier today, but was it  
12 Berdon's practice to contact Mr. De  
13 Niro or Canal employees with any  
14 questions that arose out of their  
15 review of the credit cards  
16 statements?

17 (Simultaneous speaking)

18 MR. BENNETT: Counsel, is  
19 that a 30(b)(6) question or a  
20 fact witness?

21 MS. SLOAN: I will  
22 withdraw the question.

23 Q. Canal paid -- when  
24 employees worked -- let me restart.  
25 What was Canal's policy

1 M. TASCH

2 when it came to paying for  
3 employees' working meals?

4 A. I'm sorry the screen just  
5 moved. Can you repeat that, please?

6 Q. What was Canal's policy  
7 when it came to paying for  
8 employees' working meals?

9 A. As far as I know the policy  
10 to be, if they were working and  
11 especially at night or on call for  
12 Mr. De Niro that their meals would  
13 be taken care of.

14 Q. What was Canal's policy  
15 when it came to paying for  
16 employee's work-related  
17 transportation?

18 A. Originally, if my memory  
19 serves me correctly, I think we used  
20 to have MTA cards in the day where  
21 they -- they would pay for that and  
22 they could use the subway. If it  
23 was at night, they were allowed to  
24 use cabs/Uber, when Uber came  
25 around. If they were on call.

1 M. TASCH

2 Q. Is Ms. Robinson was taking  
3 a taxi, Uber, or Lyft for  
4 work-related reason, she was  
5 entitled to charge Canal for that  
6 taxi, Uber, or Lyft, correct?

7 MR. DROGIN: Objection to  
8 the form. Calls for a  
9 hypothetical. You could ask  
10 about policies not  
11 hypotheticals.

12 MS. SLOAN: Okay.

13 Q. If an employee needed to  
14 take a taxi, Uber, or Lyft for a  
15 work-related reason, it was Canal's  
16 policy that Canal would pay for that  
17 taxi, Uber, or Lyft, correct?

18 A. Correct.

19 Q. Mr. De Niro testified that  
20 certain flowers or plants purchases  
21 should be expensed to Canal,  
22 including flowers or plants for  
23 Canal's office, for Mr. De Niro's  
24 townhouse, and for Mr. De Niro's  
25 parties, or gifts for Mr. De Niro's

1 M. TASCH  
2 colleagues, and his former partner.

3 Does that accurately  
4 describe Canal's standard practice  
5 concerning flowers and plants?

6 MR. DROGIN: Objection to  
7 the form. You can answer.

8 A. I'm not sure what the  
9 practice is on plants and flowers.  
10 But, again, if it is a business  
11 expense, we take a deduction.

12 Q. Then it would be proper for  
13 a Canal employee to charge that to  
14 Canal, correct?

15 A. I'm not sure about that.  
16 If that is a request that they  
17 needed to get flowers and plants,  
18 that would be yes. If it was a  
19 business gift, directed by Mr. De  
20 Niro or Chase, who was in charge,  
21 then the answer would be yes.

22 Q. And if it was flowers or  
23 plants for the Canal office,  
24 correct?

25 A. I'm not sure what the

1 M. TASCH

2 question is there.

3 Q. That would be proper for a  
4 Canal employee to charge that to  
5 Canal?

6 A. If Mr. De Niro or Chase,  
7 who was in charge, said that was  
8 okay, then it was okay.

9 Q. Did Canal allow employees  
10 to receive direct payments or to  
11 receive reimbursements for certain  
12 charges that they incurred?

13 MR. DROGIN: Objection to  
14 the form.

15 A. If for any reason that they  
16 could not use the credit card, or  
17 could not use petty cash, and it was  
18 for the business, yes, they did get  
19 reimbursed.

20 Q. And Canal also allowed  
21 employees to use petty cash for  
22 certain charges they incurred,  
23 correct?

24 A. Correct.

25 Q. During Ms. Robinson's



1 M. TASCH

2 employment, what were Canal's  
3 standard operating procedures  
4 concerning petty cash for employee  
5 reimbursements?

6 MS. JACOBS: Objection to  
7 the form.

8 A. Again, I think I just  
9 answered that question. If they  
10 were getting things for the office  
11 or Mr. De Niro, of that (inaudible),  
12 they could take petty cash to do so.

13 Q. There was never a written  
14 policy about that, correct?

15 A. Not that I knew of,  
16 correct.

17 Q. And petty cash could be  
18 used for employee meals or  
19 transportation, correct?

20 A. Correct.

21 Q. And Mr. De Niro was aware  
22 that employees were allowed to use  
23 petty cash or seek reimbursement for  
24 certain charges, correct?

25 MR. DROGIN: How can he

1 M. TASCH

2 possibly know with the way  
3 that you phrased the  
4 question? I think the  
5 question is, do you know if  
6 he was aware?

7 Q. Canal did not provide  
8 specific guidance to employees about  
9 what expenses -- let me withdraw  
10 that and I will move on.

11 It was standard for Canal  
12 to pay for iPhones for its  
13 employees, correct?

14 A. Yes. Let me just -- point  
15 time, I'm not sure if it was iPhones  
16 or Samsungs at the beginning, but  
17 let's call it work phones.

18 Q. Okay.

19 And that is -- at some  
20 point that included iPhones?

21 A. Yes.

22 Q. In special circumstances  
23 Mr. De Niro would at times authorize  
24 dog sitting expenses for employees,  
25 correct?

1 M. TASCH

2 MR. DROGIN: Objection to  
3 the form. Can you explain  
4 what you mean by special  
5 circumstances?

6 Q. In certain circumstances,  
7 Mr. De Niro would at times authorize  
8 dog sitting expenses for employees,  
9 is that correct, Mr. Tasch?

10 A. I know nothing about that.

11 Q. How often did Michael  
12 Kaplan send petty cash receipts to  
13 Berdon?

14 A. I think we covered this  
15 earlier in the morning.

16 MR. DROGIN: Well, she is  
17 asking you now as a 30(b)(6)  
18 witness.

19 THE WITNESS: Sorry. My  
20 apologies.

21 MR. DROGIN: That is  
22 okay.

23 A. He generally provided -- we  
24 would have liked them more, but he  
25 generally provided, as I said this

1 M. TASCH

2 morning, the petty cash spreadsheet  
3 and receipts generally February or  
4 March of the following year.

5 Q. What were the categories  
6 that petty cash was broken down  
7 into?

8 A. Business gifts, meals,  
9 travel, you know, Ubers, taxis.

10 Q. Anything else?

11 A. Not that I recall.

12 Q. So just to be clear, you  
13 would receive the receipts from Mr.  
14 Kaplan, correct?

15 A. Whatever receipts he  
16 provided. We did not always get the  
17 receipts.

18 Q. And you would receive his  
19 breakdown tabulation of the petty  
20 cash, correct?

21 MR. DROGIN: Objection to  
22 the form of the question.

23 Q. Is that correct?

24 A. Yes, that is correct.

25 Q. Okay.

1 M. TASCH

2 And would you receive  
3 anything else from Mr. Kaplan?

4 A. Like what?

5 Q. Any other petty cash sheets  
6 from other Canal employees?

7 A. No.

8 Q. Was -- did you review any  
9 of the receipts in connection to Ms.  
10 Robinson's petty cash sheets?

11 A. I will be honest with you,  
12 I don't remember getting receipts  
13 from her.

14 Q. Was it your understanding  
15 that Mr. Kaplan -- the receipts that  
16 you received from Mr. Kaplan  
17 included receipts from other Canal  
18 employees?

19 A. I don't know the answer to  
20 that.

21 Q. Did Berdon scan copies of  
22 petty cash receipts?

23 A. I don't recall.

24 Q. Did Mr. Kaplan e-mail the  
25 receipts to you or did he give you

1 M. TASCH

2 hard copies?

3 A. You know what, I really  
4 don't recall whether it was hand  
5 delivered or whether it was e-mail.

6 Q. Okay.

7 And you said Berdon would  
8 keep those receipts for three years?

9 A. We were required to keep  
10 them at a minimum of three years for  
11 audit purposes and for tax purposes.

12 Q. And would you keep them for  
13 more than three years?

14 A. I don't recall.

15 Q. And how were the receipts  
16 saved by Berdon?

17 MR. BENNETT: This is  
18 Berdon. Aren't we -- this is  
19 the 30(b)(6) part about  
20 Canal, right?

21 MR. DROGIN: It is fine.  
22 Just let it go.

23 Q. You should answer, Mr.  
24 Tasch.

25 MR. DROGIN: Yes. Please

1 M. TASCH

2 answer.

3 A. Repeat the question,  
4 please?

5 THE WITNESS: Or Paige,  
6 can you repeat the question,  
7 please?

8 (Whereupon, the requested  
9 portion was read back by the  
10 reporter:

11 Q: And how were the  
12 receipts saved by Berdon?)

13 A. Hard copies, and probably  
14 over the last few years, scanned.

15 Q. Sorry. What was the  
16 beginning part of your answer?

17 (Whereupon, the requested  
18 portion was read back by the  
19 reporter:

20 A: Hard copies, and  
21 probably over the last few  
22 years, scanned.)

23 Q. Do you recall when you  
24 started scanning the receipts --  
25 when Berdon started doing that?

1 M. TASCH

2 A. I do not. I do not.

3 Q. Did that occur within the  
4 last five years?

5 A. I don't recall.

6 Q. And when Berdon received  
7 the tabulation of petty cash  
8 expenses from Mr. Kaplan, would  
9 Berdon do anything to double check  
10 that tabulation?

11 A. No. If it came in on an  
12 Excel spreadsheet it was tabulated  
13 by Excel. We probably -- I am not a  
14 great Excel expert, but I am sure  
15 there is a way to see if his  
16 calculations were correct, and if  
17 there was, we probably did that at a  
18 minimum.

19 Q. And so would Berdon double  
20 check Michael Kaplan's  
21 categorization of petty cash  
22 expenses?

23 A. I would say generally not.  
24 It wasn't -- the amounts weren't so  
25 large. I mean, the amounts each



1 M. TASCH

2 month were not large. I mean, we  
3 would look at them just like we  
4 would look at other stuff just to  
5 make sure at least the categories we  
6 could categorize were correct. That  
7 would be the extent.

8 Q. Canal had a practice of  
9 paying certain employees for unused  
10 vacation days, correct?

11 A. Correct.

12 Q. Canal paid certain  
13 employees back for their unused  
14 vacation days going back as far as  
15 2008, correct?

16 A. Going back as far as when?

17 Q. 2008?

18 MR. DROGIN: Objection.

19 Objection. Hold on. If you  
20 are asking him about  
21 30(b)(6), then you are  
22 limited to 2013. If this is  
23 30(b)(6), then the witness  
24 should be reminded that there  
25 is a timeframe.

1 M. TASCH

2 MS. SLOAN: Okay. We  
3 will -- that is fine.

4 Q. Canal paid certain  
5 employees for their unused vacation  
6 days going back as far of 2013,  
7 correct?

8 A. Correct.

9 MR. BENNETT: October  
10 2013, just to clarify.

11 Q. Which Canal employees were  
12 paid for their unused vacation days?

13 MR. DROGIN: Objection to  
14 the form. You can answer.

15 A. Whatever employees -- Chase  
16 sent me the e-mail every year on  
17 everybody's unused vacation time.

18 Q. And what did that e-mail  
19 say, what were those e-mails?

20 A. It told me how many  
21 vacation days that people didn't  
22 use.

23 Q. Do you know when Canal  
24 started that policy?

25 A. I don't. I don't remember

1 M. TASCH  
2 when I started receiving the e-mails  
3 from Chase.

4 Q. Okay.

5 We are going to -- I will  
6 wait on that for a second.

7 Which employees were paid  
8 for their unused vacation days from  
9 October 3rd, 2013, to April 6, 2019?

10 A. Any employees that worked  
11 for the company.

12 Q. I am showing you a document  
13 that is previously marked as  
14 Plaintiff's Exhibit 49.

15 MS. SLOAN: Jeremy, if  
16 you could drop that in the  
17 chat.

18 Q. So I will ask you to open  
19 that in one second. Just to be  
20 clear, throughout the period from  
21 October 3, 2013, through April 6,  
22 2019, Canal had a policy of paying  
23 Canal employees for their unused  
24 vacation days, correct?

25 A. Yes.

1 M. TASCH

2 Q. If you can just open up the  
3 document that was shared in the  
4 chat.

5 A. This appears to be all  
6 bonuses. You are talking about  
7 vacation pay.

8 Q. Yes. So we will walk  
9 through these e-mails.

10 A. What are we talking about  
11 here? We just started talking about  
12 overtime and vacation days. This is  
13 an e-mail about bonuses.

14 Q. Yep. So if you look at the  
15 subject of the first -- let's make  
16 sure we are both looking at the same  
17 document.

18 A. We are looking at the same  
19 document.

20 Q. Okay. Great.  
21 So do you see that the  
22 subject says, "Canal bonuses and  
23 vacation payback?"

24 A. Okay. And can you tell me  
25 below where it talks about vacation

1 M. TASCH

2 payback?

3 Q. Yes, if you scroll down --  
4 again, this document is from  
5 December 19th --

6 A. I'm sorry. I apologize. I  
7 didn't see the bottom two.

8 Q. Not a problem, Mr. Tasch.  
9 So this document is -- you  
10 can scroll through.

11 A. I don't have to scroll.

12 Q. Okay.

13 Do you see that Mr. De Niro  
14 was included on all of the  
15 communications in which Ms. Robinson  
16 described the vacation pay that she  
17 and Mr. Kaplan should be paid back  
18 for?

19 A. I am not understanding the  
20 question.

21 Q. Alright. So let's start  
22 with the first page. So you saw  
23 that you -- at the bottom it shows  
24 the vacation pay for Ms. Robinson  
25 and Mr. Kaplan?

1 M. TASCH

2 A. Yep.

3 Q. Correct?

4 A. Yes.

5 Q. And as you scroll back up,  
6 you will see that Mr. De Niro was  
7 CC'd on this e-mail, correct?

8 A. On this particular e-mail.

9 Q. Alright.

10 A. We are talking about one  
11 e-mail in one year, correct?

12 Q. Well, we are going to walk  
13 through them. Thank you.

14 A. Walk through what? You are  
15 going to walk through what?

16 MS. JACOBS: Michael,  
17 wait for the question.

18 Q. Mr. Tasch, we are going to  
19 take -- don't jump ahead of me. We  
20 are going to take it, you know, one  
21 page at a time.

22 If you would like, we can  
23 go off the record so you can review  
24 all the documents.

25 A. I don't have to review

1 M. TASCH

2 anything.

3 Q. This is an eight-page  
4 document.

5 A. This is an eight-page  
6 document?

7 Q. Yes, there is eight pages  
8 in this document with e-mails for  
9 various years. So would you like to  
10 review all of those -- all of these  
11 e-mails? In which case we can go  
12 off the record.

13 MR. BENNETT: I don't  
14 think we need to go off the  
15 record. We will stay on the  
16 record.

17 Q. So can you scroll down to  
18 the second page? Are you able to do  
19 that?

20 MS. JACOBS: What is the  
21 Bates number, please?

22 MS. SLOAN: The Bates  
23 number is Robinson 00008625.

24 A. Page two out of eight?

25 Q. Yep.

1 M. TASCH

2 A. Okay.

3 Q. So this is also from 2018?

4 A. Uh-huh.

5 Q. And you can see that in the  
6 middle of the page, Ms. Robinson  
7 says, "Let me know what you think.  
8 Need to submit them today." And Mr.  
9 De Niro said, "Okay."

10 Do you see that?

11 A. Uh-huh. I do.

12 Q. And is this e-mail -- this  
13 is familiar to you, right? You are  
14 familiar with these annual e-mails  
15 from Ms. Robinson detailing --

16 A. I'm not -- in these  
17 particular ones, I am not. She sent  
18 it to me -- if it was only to me, it  
19 was in a different form. Michael,  
20 these -- you know, bonuses and  
21 vacation of use have been approved.

22 Q. So let's scroll down to  
23 page three, which is -- excuse me  
24 page four, which is Robinson 9969.

25 A. Okay.



1 M. TASCH

2 Q. Is this the type of e-mail  
3 that you were just describing that  
4 you are familiar with?

5 A. Yes. Correct. Yes.

6 Q. And you received these  
7 e-mails every year, correct?

8 A. I did receive them every  
9 year. Well, as I remember every  
10 year.

11 Q. Okay.

12 And you can see that Mr. De  
13 Niro is CC'd on this e-mail,  
14 correct?

15 A. On this particular one I  
16 see, yes.

17 MS. SLOAN: And so this  
18 one, for the record, was in  
19 2017.

20 Q. If you scroll down to the  
21 fifth page, 9971, you can see -- and  
22 it also goes down to the 9972, this  
23 is another e-mail. The same type of  
24 thing, correct? You can see --

25 A. Which -- I'm sorry? Which

1 M. TASCH

2 page number are you looking at?

3 Q. We are looking at 9971 and  
4 9972?

5 A. Give me the page numbers,  
6 please.

7 Q. Five and six.

8 A. Okay. So I am looking at  
9 five right now. Do you have a  
10 particular question about the one on  
11 five?

12 Q. I am just showing you this  
13 is another e-mail that Ms. Robinson  
14 sent and Mr. De Niro was CC'd,  
15 correct?

16 A. Well, on the one Chase sent  
17 here, she sent it to me and  
18 Francesca.

19 Q. That is correct. And if  
20 you -- forwarded it -- if you scroll  
21 down, you will see that Mr. De Niro  
22 was CC'd in the middle of the page.  
23 BobShepard@iCloud.com?

24 A. I do see her e-mailing Bob.  
25 And I don't see his approval.

1 M. TASCH

2 Q. Was it your understanding  
3 that Ms. Robinson obtained Mr. De  
4 Niro's approval before sending these  
5 year-end e-mails identifying the  
6 amount of vacation days to be paid  
7 to Ms. Robinson and Mr. Kaplan?

8 A. On the ones that I saw his  
9 approval, I did. Not on the ones  
10 that I didn't see his approval.

11 Q. And to be clear, I am not  
12 asking about your understanding  
13 right now.

14 At the time when you would  
15 receive the e-mails, was it your  
16 understanding that Ms. Robinson had  
17 obtained Mr. De Niro's approval  
18 before sending you year-end e-mails  
19 identifying --

20 A. Well, the e-mails generally  
21 said she had Bob's approval.

22 Q. So the answer to my  
23 question is yes, correct?

24 A. I'm not sure what your  
25 question is.

1 M. TASCH

2 Q. Was it your understanding  
3 that Ms. Robinson had communicated  
4 with Mr. De Niro about the content  
5 of the e-mails before sending them?

6 A. On the ones where I saw his  
7 approval noted, the answer is yes.  
8 On the other ones she sent me where  
9 I --

10 (Phone ringing)

11 A. -- on the other ones that  
12 she sent, if I didn't see his  
13 approval, but Chase she got his  
14 approval, I took her word for it.

15 Q. During Ms. Robinson's  
16 employment, did Mr. De Niro ever  
17 communicate to you that he did not  
18 approve the vacation day  
19 reimbursement listed in Ms.  
20 Robinson's e-mail?

21 A. We never had that  
22 discussion.

23 Q. So the answer is no,  
24 correct?

25 A. We never had that

1 M. TASCH

2 discussion.

3 Q. At any time during Ms.  
4 Robinson's employment, did Mr. De  
5 Niro raise concerns about the  
6 vacation days that Ms. Robinson  
7 sought reimbursement for?

8 MR. DROGIN: Objection.

9 I am just going to assume  
10 every time you say at any  
11 time during Mr. De Niro's  
12 employment -- Ms. Robinson's  
13 employment, that that is not  
14 a 30(b)(6) question, since  
15 you know the specific dates  
16 of the 30(b)(6).

17 MS. SLOAN: Thank you,  
18 Mr. Drogin. I will -- I will  
19 clarify for the record.

20 Q. At any point between  
21 October 3, 2013, and April 6, 2019,  
22 did Mr. --

23 A. I'm sorry, Ms. Sloan. What  
24 was the first date?

25 Q. October 3, 2013, and April

1 M. TASCH

2 6, 2019, did Mr. De Niro raise  
3 concerns about vacation days that  
4 Ms. Robinson sought reimbursement  
5 for?

6 THE WITNESS: So to  
7 clarify the record, I think  
8 -- Greg, I think you  
9 mentioned the date October  
10 20th?

11 MR. BENNETT: October 3rd  
12 is correct. October 3, 2013,  
13 to April 6, 2019.

14 THE WITNESS: Is correct?

15 MR. BENNETT: Yes.

16 Q. I will try to say that  
17 timeframe going forward. So I  
18 apologize.

19 A. No, no. I'm sorry. What  
20 was the question again, please?

21 MS. SLOAN: Paige, can  
22 you read it back?

23 (Whereupon, the requested  
24 portion was read back by the  
25 reporter:

1 M. TASCH

2 Q: October 3, 2013, and  
3 April 6, 2019, did Mr. De  
4 Niro raise concerns about  
5 vacation days that Ms.  
6 Robinson sought reimbursement  
7 for?)

8 A. I don't recall.

9 Q. From October 3, 2013, to  
10 April 6, 2019, did Berdon raise  
11 concerns about the vacation days  
12 that Ms. Robinson sought  
13 reimbursement for?

14 A. I don't recall.

15 Q. It was generally understood  
16 that if Ms. Robinson ended up  
17 working on a holiday or a day when  
18 she was traveling, she was  
19 authorized to be reimbursed for that  
20 vacation day, correct?

21 MR. DROGIN: Objection to  
22 the form. You can answer.

23 A. I don't know the answer to  
24 that question.

25 Q. From October 3, 2013, to

1 M. TASCH

2 April 6, 2019, it was Canal's policy  
3 that if Ms. Robinson ended up  
4 working on a holiday or a day when  
5 she was traveling, she was  
6 authorized to be reimbursed for that  
7 vacation day, is that correct?

8 A. If it was a Canal policy,  
9 it should work for all employees.  
10 You are just asking about Chase.

11 Q. The specific question is  
12 about Ms. Robinson -- but so --

13 A. The policies, as you know,  
14 it is not go towards one employee.  
15 It goes to all the employees.

16 Q. Okay.

17 Was that a policy that  
18 applied to all employees?

19 A. I don't know. I just  
20 wanted to get on the record the  
21 correct terminology.

22 Q. From October 3, 2013, to  
23 April 6, 2019, was it Canal's policy  
24 that if -- if an employee ended up  
25 working on a holiday or a day when



1 M. TASCH

2 she was traveling, he or she would  
3 be authorized to be reimbursed for  
4 that vacation day?

5 MS. JACOBS: Objection to  
6 the form. A travel day or a  
7 holiday isn't a vacation day.

8 MR. DROGIN: The whole  
9 record is completely screwed  
10 up. It is like a plane  
11 crash, but that is okay.

12 Do you have much more,  
13 counsel?

14 MS. SLOAN: I am not  
15 exactly sure how much longer.

16 MR. DROGIN: Can we take  
17 a two-minute break and just  
18 find out --

19 MS. SLOAN: In a few  
20 minutes we can take a break.  
21 It will be a good stopping  
22 point soon.

23 Q. On trips during which an  
24 employee was working, it was Canal's  
25 policy that they were permitted to

1 M. TASCH

2 charge food, lodging, and  
3 transportation to Canal, correct?

4 MR. DROGIN: Objection to  
5 the form.

6 A. I don't understand the  
7 question.

8 Q. Sorry, Mr. Tasch. I didn't  
9 hear you.

10 A. I don't understand the  
11 question.

12 Q. Going back, from October 3,  
13 2013, through April 6, 2019, was it  
14 Canal's policy that if an employee  
15 ended up working on a holiday or  
16 vacation, she was authorized to be  
17 reimbursed for that vacation day?

18 MR. DROGIN: Objection to  
19 the form.

20 MS. JACOBS: Join.

21 A. Are you talking about all  
22 employees?

23 Q. I am asking --

24 MS. SLOAN: Paige, can  
25 you read back the question?

1 M. TASCH

2 A. You asked the question is  
3 she entitled.

4 Q. The question is about, in  
5 general, a Canal employee. So she  
6 or he.

7 A. And what is the question  
8 again?

9 Q. From October 3, 2013, to  
10 April 6, 2019, was it Canal's policy  
11 that if an employee ended up working  
12 on a holiday or a vacation, he or  
13 she was authorized to be reimbursed  
14 for that vacation day?

15 MR. DROGIN: Objection to  
16 the form.

17 MS. JACOBS: Objection to  
18 the form. It is also a very  
19 different question than the  
20 one you were just asking.

21 MR. DROGIN: So if an  
22 employee worked on January  
23 1st, which is a holiday, your  
24 question is were they --

25 MS. SLOAN: Mr. Drogin,

1 M. TASCH

2 the question is for the  
3 witness, Mr. Tasch.

4 MR. DROGIN: I am just  
5 trying to point out the error  
6 in the question so you can  
7 correct it, but I won't,  
8 since you are protesting.

9 Q. Mr. Tasch, you should  
10 answer the question.

11 A. I don't understand the  
12 question. So I can't answer it.

13 Q. Let's try this one more  
14 time, alright?

15 From October 3, 2013, to  
16 April 6, 2019, if an employee ended  
17 up working on a holiday or a  
18 vacation, under Canal's policy, was  
19 that employee authorized to be  
20 reimbursed for the day when they  
21 worked?

22 A. I don't understand the  
23 question.

24 Q. The specifics of Canal's  
25 policy of paying back employees for

1 M. TASCH

2 unused vacation days were not  
3 written down anywhere, correct?

4 A. Not that I know of.

5 MS. SLOAN: Let's take a  
6 five -- a five-minute break.

7 MR. DROGIN: Can we also  
8 get the run time after we get  
9 back from the five minutes?

10 THE VIDEOGRAPHER: The  
11 time is 5:05 p.m. We are now  
12 off the record.

13 (Whereupon, a recess was  
14 taken at this time.)

15 THE VIDEOGRAPHER: The  
16 time is now 5:16 p.m. We are  
17 back on the record.

18 Q. Mr. Tasch, we are going to  
19 try this one more time.

20 If a Canal employee ended  
21 up working on a holiday or a  
22 vacation day, Canal had a policy of  
23 paying that employee back for that  
24 holiday or vacation when the  
25 employee worked, right?

1 M. TASCH

2 MR. DROGIN: Same

3 objection. Go ahead.

4 A. I don't know the answer to  
5 that question. That is not proper  
6 procedure.

7 Q. As Canal's Rule 30(b)(6)  
8 witness, explain to me what was  
9 Canal's policy when it came to  
10 paying back employees for unused  
11 vacation days?

12 A. At one point it wasn't a  
13 policy. The policy that Chase had  
14 was the e-mail at the end of the  
15 year to get them paid for unused  
16 vacation days. That is a policy she  
17 made up.

18 Q. Okay.

19 And to be clear, I am not  
20 asking a written policy in  
21 particular. You testified --

22 A. You are asking about the  
23 policy. There is a policy.

24 Q. Explain to me what were the  
25 circumstances in which Canal

1 M. TASCH

2 employees were authorized to be paid  
3 back for unused vacation days?

4 A. I am not sure there was an  
5 authorized policy.

6 Q. Mr. Tasch, there came a  
7 time when Canal began investigating  
8 Ms. Robinson, correct?

9 A. Say it again? I'm sorry.

10 Q. There came a time when  
11 Canal began investigating Ms.  
12 Robinson, correct?

13 A. I don't understand the  
14 question.

15 Q. Did there come a time when  
16 Canal began investigating Ms.  
17 Robinson?

18 A. You just asked the same  
19 question. I just told you that I  
20 don't understand the question, now  
21 you asked it again.

22 Q. I rephrased it slightly,  
23 sir.

24 Were you -- are you aware  
25 of Canal investigating Ms. Robinson?

1 M. TASCH

2 A. I don't understand the  
3 question.

4 Q. Did there come a time when  
5 Mr. De Niro began investigating Ms.  
6 Robinson?

7 A. I don't understand the  
8 question.

9 Q. Mr. Tasch, you are the  
10 30(b)(6) witness on the topic of any  
11 investigations concerning Ms.  
12 Robinson undertaken by Canal or  
13 anyone acting on its behalf.

14 MR. DROGIN: Now you  
15 understand why it is so  
16 confusing. Ask about anyone  
17 acting on its behalf by  
18 attorneys, and you will get  
19 answers.

20 Q. Did there come a time when  
21 Canal or anyone acting on its behalf  
22 began investigating Ms. Robinson?

23 A. I don't understand the  
24 question.

25 MR. DROGIN: If you want,



1 M. TASCH

2 we will stipulate that after  
3 she resigned Counsel became  
4 involved in an investigation  
5 if that helps move it along  
6 or -- (inaudible). However  
7 you choose to characterize  
8 it.

9 Q. What part of the question  
10 don't you understand, Mr. Tasch?

11 A. Any of it.

12 Q. Are you aware of Canal or  
13 anyone acting on Canal's behalf  
14 investigating Ms. Robinson?

15 A. I don't understand the  
16 question. You keep asking the same  
17 question, and I am telling you that  
18 I don't understand.

19 Q. Sorry to interrupt, Mr.  
20 Tasch. You are Canal's Rule  
21 30(b)(6) witness.

22 A. I understand that. If you  
23 asked a proper question, I could  
24 give you a proper answer.

25 Q. The Rule 30(b)(6) topic is

1 M. TASCH  
2 about any investigation concerning  
3 Ms. Robinson undertaken by Canal or  
4 anyone acting on its behalf, you  
5 understand that, correct?

6 THE WITNESS: Jane, I  
7 need a clarification here.  
8 I'm sorry.

9 MS. SLOAN: You are  
10 muted, Ms. Jacobs.

11 THE WITNESS: You are  
12 muted, Jane.

13 MS. JACOBS: He is not  
14 saying that he doesn't know.  
15 He is saying that he doesn't  
16 understand your question.

17 Q. I am explaining to you the  
18 Rule 30(b)(6) topic.

19 MS. JACOBS: Doesn't mean  
20 that it is clear either.

21 Q. I am asking are you aware  
22 of any investigation?

23 A. Listen, you could ask all  
24 you want, and I am going to give you  
25 the same answer. I don't understand

1 M. TASCH

2 your question.

3 Q. So you are not aware of any  
4 such investigation --

5 A. I don't understand your  
6 question.

7 MS. SLOAN: Ms. Jacob, is  
8 it possible for you to confer  
9 with Mr. Tasch?

10 MS. JACOBS: Yes.  
11 Michael just mute and --

12 MS. SLOAN: I just want  
13 to move this along. Thanks.

14 THE VIDEOGRAPHER: The  
15 time is 5:21 p.m. We are off  
16 the record.

17 (Whereupon, a recess was  
18 taken at this time.)

19 THE VIDEOGRAPHER: The  
20 time is now 5:27 p.m. We are  
21 back on the record.

22 MS. JACOBS: I think we  
23 have cleared up Mr. Tasch's  
24 confusion. Before we go  
25 back, can we get some read on

1 M. TASCH

2 how much you think you have  
3 left? I am just trying to  
4 figure out a personal issue.

5 MS. SLOAN: I would say  
6 an hour or so.

7 MS. JACOBS: Okay.

8 Q. Mr. Tasch, at any time  
9 between October 3, 2013, and today,  
10 did Canal ever investigate Ms.  
11 Robinson?

12 A. Including today's date?

13 Q. Yes.

14 A. Yes.

15 Q. And when --

16 MR. BENNETT: I'm sorry,  
17 just to clarify, I want to  
18 understand. Are we still  
19 sticking with the 30(b)(6)  
20 timeframe or are we going  
21 after that?

22 MS. SLOAN: My  
23 understanding of the Topic 2  
24 is that there was no end  
25 date.

1 M. TASCH

2 MR. BENNETT: Because  
3 that wasn't in the Notice,  
4 but okay.

5 MR. DROGIN: I think it  
6 was.

7 MS. SLOAN: It was in the  
8 Notice.

9 MR. BENNETT: My fault.  
10 My fault.

11 Q. When did that investigation  
12 begin, Mr. Tasch?

13 A. As far as my memory, I  
14 believe it started either late April  
15 or early May.

16 Q. Of what year?

17 A. '19.

18 Q. And who initiated the  
19 investigation into Ms. Robinson?

20 A. I'm sorry. I missed the  
21 first part of the question.

22 Q. Who initiated the  
23 investigation into Ms. Robinson?

24 A. Tom Harvey.

25 Q. And who was in charge of

1 M. TASCH

2 the investigation into Ms. Robinson?

3 A. I'm not sure about that.

4 Q. Who was involved in

5 investigating Ms. Robinson?

6 MR. DROGIN: Objection.

7 Hold on. Just -- just --

8 just want to be careful here

9 because I think you are about

10 to put your foot into work

11 product. You are talking now

12 about an attorney

13 investigating a former

14 employee. Factually, it is

15 fine. I just want to be

16 aware. So are you asking who

17 Mr. Harvey interviewed?

18 MS. SLOAN: That wasn't

19 my question. Let me ask a

20 new question.

21 Q. Was Berdon in charge of the

22 investigation into Ms. Robinson?

23 A. No.

24 Q. How frequently was Mr. De

25 Niro being updated on the status of

1 M. TASCH

2 the investigation?

3 A. You would have to ask him  
4 that.

5 Q. And who participated in the  
6 investigation into Ms. Robinson?

7 MR. DROGIN: Objection to  
8 the form. You can answer.

9 A. I really don't know. I  
10 know Tom was. I'm not sure about  
11 anybody else.

12 Q. Did Canal employees  
13 participate in the investigation  
14 into Ms. Robinson?

15 MR. DROGIN: Objection to  
16 the form. You can answer.

17 THE WITNESS: Okay.

18 A. I don't recall.

19 Q. Did Berdon employees  
20 participate in the investigation  
21 into Ms. Robinson?

22 A. I will need clarification  
23 on the question.

24 Q. Did you participate in the  
25 investigation into Ms. Robinson?

1 M. TASCH

2 A. I need clarification.

3 Q. Were you involved in any  
4 way in the investigation into Ms.  
5 Robinson?

6 MR. DROGIN: Objection to  
7 the form. Other than what  
8 has already been testified  
9 to.

10 A. Okay. So I will try to  
11 make it easy for you. When you say,  
12 "involved," what does that mean?

13 Q. What was your involvement  
14 in the investigation --

15 A. I just asked you what you  
16 mean by involvement, so please  
17 explain it to me.

18 Q. Did you have any role at  
19 all in the investigation into Ms.  
20 Robinson?

21 A. Again, what particular  
22 role?

23 Q. That is what I am asking  
24 you, Mr. Tasch.

25 A. Well, I am trying to



1 M. TASCH

2 understand your question so I am  
3 trying to --

4 Q. I understand, and I am just  
5 trying to figure out if you had any  
6 role at all --

7 A. I am not sure what -- I'm  
8 sorry, Ms. Sloan. Go ahead.

9 Q. That's okay.  
10 I am not asking about any  
11 specific role. I am asking if you  
12 had any role in the investigation  
13 into Ms. Robinson?

14 A. And all I am trying to get  
15 out of you is what does that mean.

16 MR. DROGIN: Did you  
17 speak with Mr. Harvey as part  
18 of the investigation?

19 THE WITNESS: I did.  
20 Yes.

21 MR. DROGIN: Okay.

22 Q. When did you first speak to  
23 Mr. Harvey about the investigation?

24 A. I am not positive of the  
25 date, but again, I think it was that

1 M. TASCH

2 end of April/early May period.

3 Q. Did you communicate with  
4 anyone else as part of the  
5 investigation?

6 A. When you say, "communicate  
7 with anybody else," whom?

8 Q. Anyone else?

9 A. So I am not sure of the  
10 question, Ms. Sloan. Is your  
11 question did I tell anybody about  
12 the investigation?

13 Q. No. Let's see.

14 Did you communicate with  
15 anyone else associated with Canal in  
16 connection with the investigation  
17 into Ms. Robinson?

18 A. Specifically with Canal?

19 Q. Anyone associated with  
20 Canal?

21 A. I honestly don't recall. I  
22 think the answer would be no, but I  
23 don't recall.

24 Q. Canal never hired a  
25 professional investigator to

1 M. TASCH

2 investigate Ms. Robinson, correct?

3 A. I don't know the answer to  
4 that question.

5 Q. Mr. De Niro never hired a  
6 professional investigator to  
7 investigate Ms. Robinson, correct?

8 A. I don't know the answer to  
9 that question.

10 Q. Do you know if anyone on  
11 behalf of Canal or Mr. De Niro ever  
12 hired a professional investigator to  
13 investigate Ms. Robinson?

14 MR. DROGIN: Objection.

15 Clarify other than counsel  
16 who has been identified?

17 Q. Mr. Tasch, what was your  
18 answer?

19 A. Can you please --

20 THE WITNESS: Paige, can  
21 you please repeat the  
22 question?

23 (Whereupon, the requested  
24 portion was read back by the  
25 reporter:

1 M. TASCH

2 Q: Do you know if anyone  
3 on behalf of Canal or Mr. De  
4 Niro ever hired a  
5 professional investigator to  
6 investigate Ms. Robinson?)

7 A. Not that I know of.

8 Q. Did Jim Harkins (ph)  
9 perform any work with respect to the  
10 investigation?

11 A. Not that I recall.

12 Q. Did Canal's accountants  
13 initiate any review of books and  
14 records, such as Canal's American  
15 Express card, petty cash, or  
16 frequent flyer miles?

17 A. Again, what do you mean by  
18 review?

19 Q. I mean it in the general  
20 plain meaning sense.

21 A. Well, I still don't  
22 understand what that means, but I  
23 will answer your question this way.

24 We were asked to produce  
25 documents to Mr. Harvey.

1 M. TASCH

2 Q. What documents were you  
3 asked to produce to Mr. Harvey?

4 A. American Express  
5 statements.

6 Q. Anything else?

7 A. He did ask for e-mails on  
8 petty cash.

9 Q. What types of e-mails on  
10 petty cash?

11 A. Whatever e-mails I had. He  
12 requested petty cash. Basically  
13 requests petty cash, both from  
14 Kaplan and Chase.

15 Q. What other documents were  
16 you asked to produce?

17 A. I don't recall anything  
18 else.

19 Q. You were asked to produce  
20 these documents to Tom Harvey?

21 A. Correct.

22 Q. And when did Tom Harvey ask  
23 you to produce these documents?

24 A. Again, I think it is in  
25 that late April/early May timeframe.

1 M. TASCH

2 Q. Describe for me everything  
3 that Berdon employees did with  
4 respect to the investigation into  
5 Ms. Robinson?

6 MR. DROGIN: Objection.

7 A. I don't understand the  
8 question.

9 Q. Describe for me everything  
10 that -- let me rephrase it.

11 What did Berdon employees  
12 do with respect to the investigation  
13 into Ms. Robinson?

14 MR. DROGIN: Objection to  
15 the form. This is as a  
16 30(b)(6) or is this not as a  
17 30(b)(6)?

18 MS. SLOAN: This is the  
19 30(b)(6) portion of the  
20 deposition, yes.

21 MR. DROGIN: So you want  
22 to know from Canal what  
23 employees of other entities  
24 may have done?

25 Q. Mr. Tasch, can you answer

1 M. TASCH

2 the question?

3 A. Repeat it, please?

4 MS. SLOAN: Paige, can  
5 you read it back?

6 (Whereupon, the requested  
7 portion was read back by the  
8 reporter:

9 Q: What did Berdon  
10 employees do with respect to  
11 the investigation into Ms.  
12 Robinson?)

13 A. The only thing we did was  
14 produce statements and some e-mails.

15 Q. Which Berdon employees were  
16 involved in producing those  
17 documents?

18 A. I don't recall.

19 Q. Did Berdon employees reach  
20 any conclusion as to -- engaged in  
21 any --

22 Did Berdon employees reach  
23 any conclusions as to whether Ms.  
24 Robinson had engaged in any  
25 wrongdoings?

1 M. TASCH

2 A. Absolutely not.

3 Q. In the course of Canal's  
4 investigation, Canal employees  
5 tabulated that the total amount  
6 charged for Ubers and taxis on the  
7 Canal credit card, under Ms.  
8 Robinson's name, from May 2017, to  
9 April 2019, was \$31,814.17.

10 After receiving that  
11 tabulation, did Canal or anyone  
12 acting on behalf of Canal do  
13 anything to further investigate the  
14 Uber and taxi charges that appeared  
15 on the Canal American Express in Ms.  
16 Robinson's name?

17 MR. DROGIN: Objection.

18 Hold on. It is completely --  
19 you are asking for work  
20 product. Other than work  
21 product and other than  
22 attorney communications,  
23 please go ahead and answer  
24 the question. Canal is not  
25 waiving the privilege.



1 M. TASCH

2 Q. Mr. Tasch, can you answer

3 --

4 A. I don't know the answer to  
5 the question anyway, so --

6 MS. SLOAN: And I am just  
7 asking about factual  
8 information about the  
9 investigation.

10 MR. DROGIN: Actually,  
11 that is not true. You are  
12 asking for procedure. You  
13 are asking for details about  
14 what was done by the  
15 attorney. It is not correct.  
16 You are misrepresenting your  
17 own question.

18 Q. Describe for me everything  
19 that was done to investigate the  
20 allegation that Ms. Robinson had  
21 improperly charged expenses for  
22 Ubers, taxis, and Lyft charges?

23 A. No idea.

24 Q. Describe for me everything  
25 that was done to investigate the

1 M. TASCH  
2 allegation that Ms. Robinson had  
3 improperly made charges at Paola's  
4 restaurant?

5 MR. DROGIN: Same  
6 objection to all of these  
7 questions where you are  
8 calling for work product. It  
9 is plain to you that an  
10 attorney was conducting the  
11 investigation.

12 Q. Mr. Tasch, you can answer.

13 MS. JACOBS: I don't  
14 think he can because it is an  
15 objection on privileged  
16 grounds.

17 THE WITNESS: Thank you.

18 MS. SLOAN: I am asking  
19 about the factual information  
20 about the investigation.

21 MR. DROGIN: Can we hear  
22 back the question, please?

23 (Whereupon, the requested  
24 portion was read back by the  
25 reporter:

1 M. TASCH

2 Q: Describe for me  
3 everything that was done to  
4 investigate the allegation  
5 that Ms. Robinson had  
6 improperly made charges at  
7 Paola's restaurant?)

8 MR. DROGIN: That is not  
9 factual. You are saying  
10 describe everything that was  
11 done. You are asking for  
12 what was done as part of the  
13 investigation being conducted  
14 by the attorney. It is work  
15 product.

16 MS. SLOAN: Mr. Tasch is  
17 the Rule 30(b)(6) witness on  
18 any investigation concerning  
19 Plaintiff, by Canal.

20 MR. DROGIN: Right. But  
21 that doesn't mean that you  
22 get to pierce the  
23 attorney-client privilege.

24 MS. SLOAN: And I am not  
25 seeking to.

1 M. TASCH

2 Q. So Mr. Tasch, did you  
3 answer that question? Are you  
4 refusing to answer that question?

5 THE WITNESS: Jane?

6 MS. JACOBS: I am telling  
7 him not to answer the  
8 question.

9 Q. In the course of Canal's  
10 investigation, Canal employees  
11 tabulated that the total amount  
12 charged for Paola's restaurant on  
13 the Canal credit card under Ms.  
14 Robinson's name, from May 2017, to  
15 April 2019, was \$12,696.65.

16 After receiving that  
17 tabulation, did Canal or anyone  
18 acting on behalf of Canal do  
19 anything to further investigate the  
20 Paola's restaurant charges that  
21 appeared on the Canal's American  
22 Express in Ms. Robinson's name?

23 MR. DROGIN: Same  
24 objection. If you are asking  
25 about Canal employees there

1 M. TASCH

2 is no objection. If you are  
3 opening it to up what the  
4 attorneys may have done, that  
5 is a different story.

6 MS. SLOAN: My question  
7 is did Canal or anyone acting  
8 on behalf of Canal. That is  
9 my question to Mr. Tasch.

10 MR. DROGIN: That is the  
11 problem with it. So  
12 excluding work product, he  
13 can answer it. But you are  
14 not limiting it.

15 Q. Mr. Tasch, can you answer  
16 the question?

17 MS. JACOBS: No, he may  
18 not.

19 Q. Excluding work product, can  
20 you please answer the question?

21 MS. JACOBS: Now you can  
22 answer if you can.

23 A. Repeat the question,  
24 please?

25 (Whereupon, the requested

1 M. TASCH

2 portion was read back by the  
3 reporter:

4 Q: After receiving that  
5 tabulation, did Canal or  
6 anyone acting on behalf of  
7 Canal do anything to further  
8 investigate the Paola's  
9 restaurant charges that  
10 appeared on the Canal's  
11 American Express in Ms.  
12 Robinson's name?)

13 MS. JACOBS: Other than  
14 counsel. You can answer,  
15 other than counsel.

16 THE WITNESS: Well, can I  
17 answer? She didn't ask other  
18 than counsel.

19 Q. Other than --

20 MS. JACOBS: I am telling  
21 you --

22 Q. Other than counsel, please  
23 answer the question, Mr. Tasch?

24 THE WITNESS: Jane, I can  
25 answer?

1 M. TASCH

2 MS. JACOBS: Yes.

3 A. I don't know the answer.

4 MR. DROGIN: The record  
5 should reflect that other  
6 witnesses were already asked  
7 these questions.

8 Q. Describe for me everything  
9 done to investigate the alleged  
10 improper expenses from Ms. Robinson  
11 at Whole Foods or Dean & DeLuca  
12 apart from any actions by counsel?

13 THE WITNESS: Jane, good?

14 MS. JACOBS: Yes. You  
15 are good.

16 A. I don't know the answer.

17 Q. So in the course of Canal's  
18 investigation, Canal employees  
19 tabulated a total amount of charges  
20 at Whole Foods and Dean & DeLuca.

21 After receiving that  
22 tabulation, did Canal or anyone  
23 acting on behalf of Canal, other  
24 than counsel, do anything to further  
25 investigate the Whole Foods or Dean

1 M. TASCH

2 & DeLuca charges that appeared on  
3 the American Express in Ms.  
4 Robinson's name?

5 THE WITNESS: Jane?

6 MS. JACOBS: Other than  
7 counsel, you are good.

8 A. Okay. Don't know the  
9 answer.

10 Q. Describe for me everything  
11 that was done to investigate the  
12 allegation that Ms. Robinson had  
13 improperly charged expenses for  
14 flowers and plants, and it is going  
15 to exclude counsel as well?

16 A. I don't know the answer.

17 Q. After receiving the total  
18 tabulation of charges for flowers  
19 and plants on the Canal credit card,  
20 what did Canal or anyone acting on  
21 behalf of Canal, other than counsel,  
22 do to further investigate the  
23 expenses from flower stores that  
24 appeared on the American Express in  
25 Ms. Robinson's name?



1 M. TASCH

2 A. I don't know the answer.

3 Q. With respect to Canal's  
4 investigation into Ms. Robinson, did  
5 Canal do anything to weed out  
6 authorized credit card charges?

7 MR. DROGIN: Objection to  
8 the form. Weed out?

9 THE WITNESS: Jane?

10 MS. JACOBS: If you can  
11 answer, go ahead.

12 THE WITNESS: I just want  
13 to make sure it is okay.

14 A. I don't know.

15 Q. In the course of Canal's  
16 investigation, what, if anything,  
17 did Canal do to ascertain which  
18 petty cash charges were authorized?

19 MR. DROGIN: Objection.

20 THE WITNESS: I'm sorry.

21 MR. DROGIN: Other than  
22 through counsel, is that your  
23 question? Other than  
24 counsel?

25 MS. SLOAN: Let me

1 M. TASCH

2 rephrase the question with  
3 other than counsel.

4 Q. In the course of Canal's  
5 investigation, what, if anything,  
6 did Canal or anyone acting on behalf  
7 of Canal, other than counsel, do to  
8 ascertain which petty cash charges  
9 were authorized?

10 A. I don't know.

11 Q. In the course of Canal's  
12 investigation, what, if anything,  
13 did Canal or anyone acting on behalf  
14 of Canal, other than counsel, do to  
15 ascertain the purpose of Ms.  
16 Robinson's trip to Los Angeles in  
17 March of 2018?

18 A. I don't know.

19 Q. In the course of Canal's  
20 investigation, what, if anything,  
21 did Canal or anyone acting on behalf  
22 of Canal, other than counsel, do to  
23 -- to ascertain whether Ms. Robinson  
24 was accessing Netflix when she was  
25 working?

1 M. TASCH

2 A. I don't know the answer to  
3 that.

4 MS. SLOAN: I would like  
5 to take a five-minute break.

6 THE VIDEOGRAPHER: The  
7 time is 5:49 p.m. We are off  
8 the record.

9 (Whereupon, a recess was  
10 taken at this time.)

11 THE VIDEOGRAPHER: The  
12 time is 6:03 p.m. We are  
13 back on the record.

14 Q. Mr. Tasch, identify for me  
15 all documents that Berdon reviewed  
16 as part of Canal's investigation  
17 into Ms. Robinson?

18 MR. DROGIN: Objection.

19 THE WITNESS: Jane?

20 MS. JACOBS: Read it  
21 again? I'm sorry.

22 (Whereupon, the requested  
23 portion was read back by the  
24 reporter:

25 Q: Mr. Tasch, identify

1 M. TASCH

2 for me all documents that  
3 Berdon reviewed as part of  
4 Canal's investigation into  
5 Ms. Robinson?)

6 MS. JACOBS: You can  
7 answer it if you can.

8 A. Okay. We didn't review any  
9 documents.

10 Q. Identify for me all  
11 documents provided by Berdon as part  
12 of the investigation into Ms.  
13 Robinson?

14 MR. DROGIN: Objection to  
15 the form.

16 A. As I stated before, we  
17 turned over some e-mails regarding  
18 petty cash and American Express  
19 statements.

20 Q. Was Canal's general ledger  
21 reviewed as part of Canal's  
22 investigation?

23 MR. DROGIN: Objection.  
24 That is work product.  
25 Reviewed by who?

1 M. TASCH

2 MS. JACOBS: Right.

3 Q. Was -- were Canal's tax  
4 returns reviewed as part of Canal's  
5 investigation?

6 MR. DROGIN: Same  
7 objection.

8 THE WITNESS: Jane?

9 MS. JACOBS: You can  
10 answer.

11 A. I don't recall.

12 Q. Were Canal's petty cash  
13 receipts reviewed as part of Canal's  
14 investigation?

15 MR. DROGIN: Same  
16 objection.

17 MS. JACOBS: You can  
18 answer.

19 A. I don't know.

20 Q. Did Berdon employees do  
21 anything to investigate the Paola's  
22 restaurant charges that appeared on  
23 the Canal American Express in Ms.  
24 Robinson's name?

25 A. No.

1 M. TASCH

2 Q. Did Berdon employees do  
3 anything to evaluate whether the  
4 Paola's charge on Canal's American  
5 Express were authorized expenses?

6 A. No.

7 Q. Did Berdon employees do  
8 anything to investigate Whole Foods  
9 or Dean & DeLuca charges that  
10 appeared on the Canal American  
11 Express in Ms. Robinson's name?

12 A. No.

13 Q. Did Berdon employees do  
14 anything to evaluate whether Whole  
15 Foods Dean & DeLuca charges on  
16 Canal's American Express were  
17 authorized expenses?

18 A. No.

19 Q. Did Berdon employees do  
20 anything to investigate the Uber,  
21 taxi, and Lyft charges that appeared  
22 on the Canal American Express in Ms.  
23 Robinson's name?

24 A. No.

25 MR. DROGIN: Same

1 M. TASCH

2 objections.

3 Q. Did Berdon employees do  
4 anything to evaluate whether Uber,  
5 taxi, and Lyft charges, charged by  
6 Ms. Robinson, were authorized  
7 expenses?

8 MR. DROGIN: Objection to  
9 the form.

10 A. No.

11 Q. Did Berdon employees do  
12 anything to investigate the Flowers  
13 by Philip charges that appeared on  
14 the Canal American Express in Ms.  
15 Robinson's name?

16 A. No.

17 Q. Did Berdon employees do  
18 anything to evaluate whether the  
19 Flowers by Philip charges on Canal's  
20 American Express were authorized  
21 expenses?

22 A. No.

23 Q. Did Berdon employees do  
24 anything to investigate the petty  
25 cash charges under Ms. Robinson's

1 M. TASCH

2 name?

3 A. Repeat the question,  
4 please?

5 Q. Did Berdon employees do  
6 anything to investigate Ms.  
7 Robinson's petty cash expenses?

8 A. Can you explain to me what  
9 you mean by do anything?

10 Q. Did Berdon employees  
11 investigate -- did Berdon employees  
12 take any action related to the  
13 investigation into Ms. Robinson with  
14 respect to Ms. Robinson's petty cash  
15 charges?

16 A. Can you explain what  
17 action?

18 Q. What did Berdon employees  
19 do with respect to Ms. Robinson's  
20 petty cash charges when Canal was  
21 investigating Ms. Robinson?

22 A. Well, Berdon didn't do  
23 anything.

24 Q. Did Berdon employees do  
25 anything to evaluate whether Ms.



1 M. TASCH

2 Robinson's petty cash charges were  
3 authorized expenses?

4 A. No.

5 Q. Did Berdon employees do  
6 anything to investigate the March  
7 2018 trip taken by Ms. Robinson to  
8 Los Angeles?

9 A. No.

10 Q. Did Berdon employees do  
11 anything to evaluate whether charges  
12 associated with the March 2018 trip  
13 to Los Angeles were proper expenses?

14 MR. DROGIN: Objection to  
15 the form.

16 Q. Did Berdon employees do  
17 anything to evaluate whether  
18 SkyMiles transfers by Ms. Robinson  
19 were authorized?

20 A. Are you talking about the  
21 last bunch of miles that she took  
22 before she left?

23 Q. Any of the transfers?

24 A. Repeat the question,  
25 please?

1 M. TASCH

2 (Whereupon, the requested  
3 portion was read back by the  
4 reporter:

5 Q: Did Berdon employees  
6 do anything to evaluate  
7 whether SkyMiles transfers by  
8 Ms. Robinson were  
9 authorized?)

10 A. At the time? I need a --  
11 you got to rephrase or give me a  
12 timeline or something.

13 Q. In the context of Canal's  
14 investigation --

15 A. I'm not sure what that  
16 means.

17 Q. -- into Ms. Robinson?

18 A. I'm not sure with that  
19 means.

20 Q. At any point during Canal's  
21 investigation into Ms. Robinson, did  
22 Berdon employees do anything to  
23 evaluate whether SkyMiles usage by  
24 Ms. Robinson was authorized?

25 A. Again, when you say any

1 M. TASCH

2 time, any time until when?

3 Q. Until today?

4 THE WITNESS: Jane?

5 MS. JACOBS: Say it

6 again. Read it again,

7 please.

8 (Whereupon, the requested  
9 portion was read back by the  
10 reporter:

11 Q: At any point during  
12 Canal's investigation into  
13 Ms. Robinson, did Berdon  
14 employees do anything to  
15 evaluate whether SkyMiles  
16 usage by Ms. Robinson was  
17 authorized?)

18 MS. JACOBS: You can  
19 answer it.

20 A. So it is through today,  
21 correct?

22 Q. Yes.

23 A. So after we found out the  
24 miles were taken, we asked Mr. De  
25 Niro if he authorized that she could

1 M. TASCH

2 take those miles, and he said,  
3 "Absolutely not."

4 Q. Does Canal have practices  
5 or policies concerning  
6 investigations into employee  
7 expenses?

8 MR. DROGIN: Objection.

9 Can you clarify the time  
10 period? You said have.

11 Q. Has Canal -- well -- okay.  
12 I will ask about it right now.

13 Let me rephrase.

14 So this is about October 3,  
15 2013, through April 6, 2019.

16 A. I didn't understand the  
17 last part of what you said.

18 MS. SLOAN: Thank you,  
19 Laurent, for pointing out the  
20 time. I will rephrase the  
21 question with the time in it.

22 Q. Between October 3, 2013, to  
23 April 6, 2019, did Canal have  
24 practices or policies concerning  
25 investigations into employee

1 M. TASCH

2 expenses?

3 A. Not that I know of.

4 Q. Besides Ms. Robinson, were  
5 any other Canal employees  
6 investigated after their employment  
7 with Canal ended?

8 MR. DROGIN: Objection to  
9 the form.

10 THE WITNESS: Jane?

11 MS. JACOBS: You can  
12 answer.

13 THE WITNESS: I am just  
14 making sure.

15 A. Not that I am aware of.

16 Q. Do you believe that Ms.  
17 Robinson inflicted \$6 million of  
18 damages on Canal?

19 MS. JACOBS: Are you  
20 asking for his opinion?

21 MS. SLOAN: We can move  
22 it back to a fact witness.

23 MS. JACOBS: Even so, are  
24 you asking his opinion?

25 MS. SLOAN: Yes. Based

1 M. TASCH

2 on everything Mr. Tasch

3 knows.

4 Q. Do you believe Ms. Robinson

5 inflicted \$6 million of damages on

6 Canal?

7 MR. BENNETT: For the

8 record, I want to understand,

9 are we stopping the 30(b)(6)

10 or are you going to go back

11 to again?

12 MS. SLOAN: No. I don't

13 anticipate going back to the

14 30(b)(6).

15 MR. BENNETT: Thank you.

16 Q. Mr. Tasch, can you answer?

17 THE WITNESS: Jane?

18 MS. JACOBS: If you can

19 answer.

20 A. I can't possibly answer

21 that question.

22 Q. Okay.

23 MS. SLOAN: We are going

24 to take a break, and I

25 anticipate being done shortly

1 M. TASCH

2 after the break or -- yeah.

3 MS. JACOBS: Where are we  
4 with respect to the seven  
5 hours?

6 THE VIDEOGRAPHER: The  
7 time is 6:14 p.m. We are off  
8 the record.

9 (Whereupon, a recess was  
10 taken at this time.)

11 THE VIDEOGRAPHER: The  
12 time is 6:21 p.m. We are  
13 back on the record.

14 MS. SLOAN: That  
15 concludes my questioning  
16 today. We will leave the  
17 deposition open as Mr. Tasch  
18 was wholly unable to provide  
19 testimony on a host of topics  
20 within the scope of the Rule  
21 30(b)(6) topics. And a  
22 number of documents bearing  
23 on his testimony still  
24 haven't been produced to  
25 plaintiff.

1 M. TASCH

2 With that, I will turn it  
3 over to Mr. Drogin for  
4 redirect.

5 MR. DROGIN: Alright.  
6 Well, obviously we disagree  
7 with pretty much everything  
8 you said.

9 EXAMINATION

10 BY MR. DROGIN:

11 Q. Michael, you talked about  
12 Chase being the co-manager of  
13 American Express. What does that  
14 mean?

15 A. That means for any credit  
16 card account, it doesn't have to be  
17 AMEX in particular, but if you --  
18 has to be in charge. You can always  
19 add people on, if the main person  
20 approves. So in this case, Bob was  
21 the main person. So I was the  
22 manager and he wanted Chase to be  
23 the co-manager, so we got her on as  
24 the co-manager. What that really  
25 means is that either one of us,



1 M. TASCH

2 solely, can go in and do anything  
3 you want on the card.

4 For example, moving miles  
5 to personal accounts, or anywhere  
6 else, and doing basically anything  
7 that you want.

8 Q. Alright.

9 Did you have a conversation  
10 with Mr. De Niro about his  
11 instruction to make Chase co-manager  
12 of the American Express?

13 A. Numerous amounts of times.

14 Q. Can you recount for us the  
15 sum and substance of those  
16 conversations?

17 A. The substance was you  
18 should never put an employee as a  
19 co-manager or manager on any credit  
20 cards, bank accounts, or anything  
21 financial. It is not proper. It is  
22 unhealthy. And it possibly could  
23 lead to stealing.

24 Q. Okay.

25 And after having those

1 M. TASCH

2 conversations with him, did he,  
3 nevertheless, instruct you to make  
4 Chase the co-manager?

5 A. He did.

6 Q. At the time that Chase  
7 resigned, on April 6, 2019, did you  
8 believe that she was an honest  
9 individual?

10 A. I am really not sure about  
11 that. I'm not sure how to answer  
12 the question. I am not sure if she  
13 was dishonest, but I just don't  
14 know.

15 Q. Okay.

16 Did there come a point in  
17 time that you did come to believe  
18 that she was dishonest?

19 A. Well, certainly after I  
20 found out she stole the miles.

21 Q. How did you find out that  
22 she stole the miles?

23 A. Once Tom initiated his  
24 investigation, he asked me to check  
25 with American Express. We did so,

1 M. TASCH

2 we got a long e-mail from them about  
3 the miles that were transferred by  
4 Chase.

5 Q. Okay.

6 During one of the telephone  
7 calls -- actually, withdrawn. I  
8 will ask it a different way.

9 Who ran Canal's office?

10 A. Chase did.

11 Q. Who set office policies at  
12 Canal?

13 MS. SLOAN: Objection to  
14 the form.

15 A. Chase did.

16 Q. How did you know that?

17 A. How do I know she objected  
18 or how do I know that Chase ran the  
19 policies?

20 Q. Well, we all know she  
21 objected.

22 How do you know she -- how  
23 do you know she ran the office?

24 A. Because everybody in Canal  
25 reported to Chase, except Dan

1 M. TASCH

2 Harvey, who reported to Bob.

3 Q. How do you know Chase set  
4 office policies?

5 A. Well, because everything  
6 had to go through her, she wanted  
7 everybody to report to her. And  
8 there was an e-mail out there, and I  
9 just didn't remember, but as we  
10 alluded to today, in December of  
11 '15, that we saw that she did set  
12 the policies.

13 Q. And did you ever  
14 communicate with anyone other than  
15 Chase about raises to be given to  
16 employees?

17 MS. SLOAN: Objection to  
18 the form. I was actually  
19 muted, but I was objecting to  
20 form for the past few  
21 questions.

22 MR. DROGIN: Okay.

23 Overruled. You can answer.

24 A. I'm sorry. Laurent, the  
25 question again, please?

1 M. TASCH

2 Q. Yeah.

3 Other than Chase, did you  
4 speak with any other Canal employee  
5 before implementing raises?

6 A. No.

7 Q. Other than Chase, did you  
8 speak with any other Canal employee  
9 about implementing bonuses?

10 MS. SLOAN: Objection to  
11 the form.

12 A. No.

13 Q. The -- the vacation time  
14 policy that you testified about, was  
15 part of your job to determine  
16 whether or not an employee actually  
17 worked at a point in time when they  
18 said they were on vacation?

19 MS. SLOAN: Objection to  
20 the form.

21 A. No, that was not.

22 Q. You can answer it. You can  
23 answer it.

24 A. Okay. I'm sorry.

25 Laurent, the question

1 M. TASCH

2 again?

3 MR. DROGIN: Can we read

4 it back?

5 (Whereupon, the requested

6 portion was read back by the

7 reporter:

8 Q: The -- the vacation

9 time policy that you

10 testified about, was part of

11 your job to determine whether

12 or not an employee actually

13 worked at a point in time

14 when they said they were on

15 vacation?)

16 A. No.

17 Q. On vacation time, would you

18 -- was part of your job to determine

19 whether or not an employee actually

20 had or had not taken vacation time?

21 A. It was not.

22 MS. SLOAN: Objection to

23 the form.

24 Q. Who -- did you rely on

25 Chase for that information?

1 M. TASCH

2 A. I did.

3 Q. Did you attempt to verify  
4 whether or not the information was  
5 accurate?

6 A. I did not.

7 MS. SLOAN: Objection to  
8 the form.

9 Q. When you mentioned that  
10 overtime was -- withdrawn. I will  
11 ask it a different way.

12 Other than from Chase, did  
13 anyone else give you instruction as  
14 to when overtime was to be paid?

15 MS. SLOAN: Objection to  
16 the form.

17 A. No.

18 MS. SLOAN: If you could  
19 wait to give me time to  
20 object so we don't speak over  
21 each other.

22 MR. DROGIN: What's --  
23 what's -- what do you find  
24 improper about the form of  
25 the question?

1 M. TASCH

2 MS. SLOAN: It was vague  
3 as to -- if you could read it  
4 back. There was no  
5 parameters.

6 (Whereupon, the requested  
7 portion was read back by the  
8 reporter:

9 Q: Other than from  
10 Chase, did anyone else give  
11 you instruction as to when  
12 overtime was to be paid?)

13 Q. You can answer it.

14 A. No.

15 Q. Did -- during Ms.  
16 Robinson's employment, did Canal  
17 have any policies about employees  
18 setting small fires in wastepaper  
19 baskets?

20 MS. SLOAN: Objection to  
21 the form.

22 A. Not that I know of.

23 Q. If there was such a policy,  
24 do you have an understanding as to  
25 who would have been responsible for



1 M. TASCH

2 setting and administering that  
3 policy?

4 A. It would have been Chase.

5 Q. Do you know whether Canal  
6 had a policy that employees should  
7 wash their hands after using the  
8 restroom?

9 MS. SLOAN: Objection to  
10 the form.

11 A. I did not.

12 Q. Based on your dealings with  
13 Canal, if such a policy had, in  
14 fact, been put into place, who would  
15 have done so, and who would have  
16 been responsible for administering  
17 it?

18 A. Chase.

19 Q. Do you know if Chase had a  
20 -- I keep saying Chase, which is  
21 ironic (inaudible).

22 Do you know whether Canal  
23 had a policy as to whether or not it  
24 was okay to go swimming while  
25 thinking about work?

1 M. TASCH

2 MS. SLOAN: Objection to  
3 the form.

4 A. I do not.

5 Q. Do you know whether Canal  
6 had a policy as to whether or not it  
7 was permitted to go out during the  
8 middle of the workday and go for a  
9 run?

10 MS. SLOAN: Objection to  
11 the form.

12 A. I did not.

13 Q. Do you know whether Canal  
14 had a policy as to whether or not it  
15 was okay to watch Netflix during the  
16 workday, having it on in the  
17 background?

18 MS. SLOAN: Objection to  
19 the form.

20 A. It did not.

21 Q. Do you know whether or not  
22 trust is something that is of value  
23 to Mr. De Niro when it comes to his  
24 employees?

25 A. Absolutely.

1 M. TASCH

2 MS. SLOAN: Objection to  
3 the form.

4 THE WITNESS: Sorry.

5 MR. DROGIN: Would you  
6 like a standing objection to  
7 every one of my questions?  
8 That way it will move faster.

9 MS. SLOAN: Yes.

10 MR. DROGIN: Okay.  
11 Great. So every question  
12 that I ask, you have an  
13 objection to the form.

14 MS. SLOAN: To the form.

15 Q. How did you come to know  
16 about Mr. De Niro's views towards  
17 trust of employees?

18 A. Well, Mr. De Niro views in  
19 his life, as far as I am concerned,  
20 with everybody he is associated  
21 with, is trust and loyalty. That is  
22 what he really looks for.

23 Listen, by the way, we all  
24 make mistakes when we do this. It  
25 could be friends, it could be family

1 M. TASCH

2 it could be whatever. But he is big  
3 on trust and loyalty. There is no  
4 question about it.

5 Q. At one point Chase was  
6 involved in trying to introduce new  
7 benefits, employee benefits to  
8 Canal, is that correct?

9 A. Absolutely.

10 Q. Can you just give us a  
11 narrative about what you remember  
12 about that?

13 A. Well, she tried to get  
14 Vantage Point involved. She didn't  
15 like Susan Goodman's company. She  
16 thought she could save Bob money.  
17 And as far as I am concerned, and in  
18 my opinion, she was looking to take  
19 complete control of Bob, his  
20 company, and all of his finances.

21 Q. Okay.

22 Now, to your knowledge, was  
23 Chase also responsible for  
24 administering benefits at Canal?

25 A. No. Chase was not

1 M. TASCH

2 responsible for benefits. That  
3 usually was with Tribeca.

4 Q. To your knowledge, was the  
5 introduction of the Vantage Point  
6 something that anyone asked Chase to  
7 do?

8 A. Not that I recall.

9 Q. And how did that ultimately  
10 turn out, that introduction?

11 A. Well, she got a proposal  
12 from them, she talked to Bob about  
13 it. Since he was only hearing one  
14 side of the story from her, he  
15 didn't know much about it. We had a  
16 meeting at our office at Berdon, 360  
17 Madison Avenue. There was several  
18 people there. Tom was there, Chase,  
19 myself, Mark, Susan Goodman. I'm  
20 not sure about anybody else. But we  
21 went back and forth about the pros  
22 and cons, and at the end of the day  
23 we stayed with the company we had.

24 Q. Alright.

25 And after that meeting, was

1 M. TASCH

2 there a change in attitude between  
3 -- as to how Chase interacted with  
4 you?

5 A. It appeared to me so,  
6 absolutely.

7 Q. Tell us what you recall and  
8 observed as to how it changed?

9 A. Well, she looked to gain  
10 more control with Bob. She was  
11 always whispering in his ear about  
12 everything, throwing Berdon, in  
13 particularly, under the bus. And  
14 just trying to be in control. There  
15 were times -- I will give you one  
16 example for sure. I would get calls  
17 from Bob, "Hey Michael, it is Bob.  
18 Can you give me a call?" And as  
19 soon as I called him back, he would  
20 give the phone to Chase so she could  
21 complain to me about what I wasn't  
22 doing.

23 Q. Did there come a time in  
24 2019 where Tiffany Chen began to ask  
25 you questions about spending at

1 M. TASCH

2 Canal by Chase Robinson?

3 A. Yes.

4 Q. Was that before Chase  
5 resigned?

6 A. I will be honest with you,  
7 Laurent, I just don't remember the  
8 date. It was more about AMEX. Not  
9 really petty cash, per se. It was  
10 about AMEX and particularly  
11 returns -- items to be returned.  
12 That is where -- where Tiffany's  
13 focus was.

14 Q. Was she asking about  
15 whether or not certain Amazon  
16 purchases that Chase had made had  
17 actually arrived and actually did  
18 return?

19 A. Yes.

20 Q. Was it your understanding  
21 that she was trying to figure out  
22 whether Chase had been stealing  
23 things?

24 A. Absolutely correct.

25 Q. To your knowledge, was she

1 M. TASCH

2 making inquiries to determine  
3 whether or not Chase had, in fact,  
4 given away some of the items rather  
5 than returned them?

6 A. Yes.

7 Q. This is a conversation you  
8 had with Tiffany about this?

9 A. I don't know, Laurent, if  
10 it was a conversation, e-mails. I  
11 just don't remember particularly.

12 Q. Alright.

13 And was she also looking  
14 into spending by Michael Kaplan?

15 A. I don't remember. His name  
16 did come up. You know, clearly I  
17 will relate, and I don't know. I  
18 think it was after Chase resigned,  
19 we had a big meeting in the office,  
20 me, Bob, Tom Harvey, Robin Chambers,  
21 and Michael Kaplan, where Tiffany  
22 expressed her dissatisfaction with  
23 what Robin was doing and Michael was  
24 doing. In general, there were -- so  
25 forth and so on.



1 M. TASCH

2 Q. Prior to Chase's  
3 resignation, had anybody told you  
4 that she was about to be fired?

5 A. I do not recall that.

6 Q. Now you identified Dan  
7 Harvey. Who is Dan Harvey?

8 A. Dan Harvey is a Canal  
9 employee. He is Bob's personal  
10 trainer.

11 Q. And I think you said  
12 earlier he reported directly to Bob?

13 A. He reports to Bob, correct.

14 Q. To your knowledge, did any  
15 other Canal employee, other than  
16 Dan, report directly to Bob?

17 A. No, everybody reported to  
18 Chase.

19 Q. And who did Chase report  
20 to?

21 A. In theory, she reported to  
22 Bob.

23 Q. The -- you testified about  
24 this mold issue at [REDACTED]

25 Was working with Chase to

1 M. TASCH

2 resolve the mold issue, was that  
3 part of your day job?

4 A. It really wasn't supposed  
5 to be part of my day job. Chase got  
6 me involved. And I will be frank  
7 about it, I did feel a little bit  
8 for her. Tiffany was pressuring her  
9 to -- to get it done. It was a hard  
10 project, you know, it is not a  
11 simple thing where you say hey don't  
12 spend, or look at this, or credit  
13 cards, or blah-blah. You have to  
14 call people in. They -- they don't  
15 have to be home, you know, Bob and  
16 Tiffany. So it was a little tough  
17 project to do. And for a month or  
18 two it was pretty constant, and we  
19 just weren't sure if there really  
20 was mold. Eventually, we did find  
21 mold maybe once or twice at least.  
22 There was also a water leak I think  
23 at some point we found. So at the  
24 end of the day, I guess we didn't  
25 move as fast she wanted us to.

1 M. TASCH

2 Q. She was annoyed at Chase?

3 A. She was annoyed at Chase.

4 Q. She was annoyed at you?

5 A. I couldn't tell if she was  
6 annoyed with me over this particular  
7 thing. She did want it done  
8 quickly. But she did get very  
9 annoyed at me on a particular  
10 Riverside thing that I did not do.  
11 And she told Bob, and Bob called me  
12 up to yell at me, and they got Mark  
13 involved, and it was a whole  
14 mishmash. And as I said, at some  
15 point today, you know, as we have  
16 clients or we report to employers,  
17 if we are not doing our job, and in  
18 this particular case I did not do my  
19 job, they have a right to complain.

20 Q. Going back to the mold  
21 issue, I just want to be clear so  
22 the record is clear. How is it that  
23 you got involved in working on this  
24 mold problem in the first place?

25 A. Listen, I am not super

1 M. TASCH

2 positive about it. I think just  
3 Chase felt pressured by Tiffany so  
4 she -- since we were working  
5 together on Canal stuff, per se, and  
6 some 117 stuff along the way, she  
7 enlisted my help.

8 Q. So did Bob ask you to get  
9 involved with the mold issue?

10 A. Did not.

11 Q. Did Tiffany ask you to get  
12 involved with the mold issue?

13 A. As far as I remember, not  
14 at the beginning.

15 Q. Okay.

16 So Chase got you involved  
17 in the mold issue?

18 A. Yes. And I think just to  
19 be on the record, per se, I believe  
20 at some point even before this  
21 happened when -- when she was  
22 complaining about mold, I think she  
23 got me and Tom Harvey also involved.

24 Q. Okay.

25 As a Berdon employee, do

1 M. TASCH

2 you receive annual training on how  
3 to identify different forms of  
4 unlawful harassment and  
5 discrimination?

6 A. Well, we have a sexual  
7 harassment seminar I think -- I'm  
8 not sure, Laurent, if it is every  
9 year or every two years, but on this  
10 particular topic, yes.

11 Q. Was that the same in 2019?

12 A. I believe it was.

13 Q. Now I want to put the word  
14 "harassment" in quotes for a minute.  
15 It hasn't been defined for you. So  
16 with the word in quotes, was the  
17 "harassment" that you were  
18 describing earlier, when Ms. Sloan  
19 was questioning, was that type --  
20 was the type mentioned by Chase, in  
21 describing Tiffany's treatment of  
22 her, something that you understood  
23 to be unlawful?

24 A. No.

25 Q. Was this something in the

1 M. TASCH

2 generic sense and use of the word  
3 "harassment?"

4 A. In my opinion, yes.

5 Q. Would it be fair to say  
6 that you understood her use of the  
7 word "harassment" to mean, in  
8 substance, she is being a pain in my  
9 ass?

10 A. Exactly. Correct.

11 Q. She is riding me?

12 A. Yes.

13 Q. She is pushing me?

14 A. Yes.

15 Q. She is breaking my chops?

16 A. Yes.

17 Q. Did Chase ever tell you  
18 that Tiffany -- she believed Tiffany  
19 was treating her that way, because  
20 she, that is Chase, was female?

21 A. I don't remember, per se.  
22 So since I don't remember I am -- I  
23 am not going to answer.

24 Q. Okay.

25 You said earlier that Chase

1 M. TASCH

2 wanted to -- I think I wrote -- you  
3 said -- you said that she wanted  
4 complete control.

5 Do you remember that?

6 A. I do.

7 Q. What does that mean?

8 A. That means she wanted to be  
9 involved in every aspect of Bob's  
10 life. She tried to get into all his  
11 business, his personal business, his  
12 corporate business, and any other  
13 business she can stick her nose  
14 into.

15 Q. Is that an attitude that  
16 was already in place when Tiffany  
17 arrived on the scene?

18 A. Yes.

19 Q. And did that change at all  
20 when Tiffany arrived on the scene?

21 A. No. Not at the beginning.  
22 Towards the end because of the mold  
23 and the pressure Chase felt, it  
24 absolutely did change at that point.

25 Q. How did it change?

1 M. TASCH

2 A. My belief is she wanted to  
3 get as far as away from this as  
4 possible.

5 Q. When you say, "this," what  
6 do you mean?

7 A. Well, specifically the  
8 [REDACTED] she didn't want to be involved  
9 in that anymore. She still wanted  
10 to be involved in Canal, but -- but  
11 so you had those two areas. She  
12 involved herself in [REDACTED], along with  
13 her duties with Canal. Most of her  
14 time as far as I knew, from August,  
15 September or October of 2018,  
16 through '19, was spent at [REDACTED]  
17 decorating, going to stores with  
18 Bob. She needed an assistant Lu Lu,  
19 which she hired because she said  
20 that she couldn't do it all. I told  
21 Bob that was a bad idea, we are  
22 adding to the payroll. He said,  
23 "Let it go." So we did. And they  
24 went running around the City to buy  
25 furniture, et cetera.



1 M. TASCH

2 Q. And the last thing I wanted  
3 to ask you about was [REDACTED]

4 Did you have an  
5 understanding as to whether or not  
6 Chase was directed, or ordered, or  
7 forced to become involved in [REDACTED]

8 A. Not as far I know.

9 Q. What was your understanding  
10 as to how she became involved in

11 [REDACTED]

12 A. I think she wanted to be  
13 involved in [REDACTED] I think she  
14 helped find the apartment. I don't  
15 know if she knew Miriam or someone  
16 else knew Miriam, but she certainly  
17 helped in getting the apartment.  
18 And I think she wanted to, you know,  
19 sort of help in the interior  
20 decorating in the apartment.

21 Q. Bob had come out of [REDACTED]  
22 in late summer of 2018, is that  
23 right?

24 A. Yes.

25 Q. And he was in the process

1 M. TASCH

2 of getting separated or divorced  
3 from Grace at that point in time?

4 A. Yes. I believe at that  
5 point in time it had already reached  
6 its peak, and it was just a matter  
7 of time before the action was going  
8 to take place.

9 Q. To your recollection, was  
10 he filming around that time?

11 A. That, I don't remember  
12 Laurent. Because he has films each  
13 time -- you know two or three a  
14 year, maybe some years more. I just  
15 don't remember.

16 Q. I just want to confirm,  
17 your recollection is -- or is it  
18 your recollection that Chase  
19 essentially injected herself into

20 [REDACTED]

21 A. That is my belief.

22 Q. If you could just elaborate  
23 why you have that belief? I put the  
24 words in your mouth. I just want to  
25 make sure.

1 M. TASCH

2 A. Well, because I don't  
3 understand why an employee of a  
4 production company would get  
5 involved in the interior decoration  
6 of somebody's apartment.

7 MR. DROGIN: What I would  
8 like to do is, it is 6:43. I  
9 would like to take a  
10 five-minute break, literally  
11 just to confer with Mr.  
12 Bennett, Ms. Lazzaro, and  
13 Mr. Harvey to see whether  
14 they would like me to ask any  
15 more questions, or if they  
16 have any questions of their  
17 own, and then if not, I will  
18 be done. I don't have any  
19 further questions at this  
20 point. Can we take five?

21 THE VIDEOGRAPHER: The  
22 time is 6:44 p.m. We are off  
23 the record.

24 (Whereupon, a recess was  
25 taken at this time.)

1 M. TASCH

2 THE VIDEOGRAPHER: The  
3 time is 6:48 p.m. We are  
4 back on the record.

5 MR. DROGIN: We do not  
6 have any further redirect at  
7 this time.

8 EXAMINATION

9 BY MS. SLOAN:

10 Q. Mr. Tasch, I just have a  
11 few more questions for you.

12 Turning back to your  
13 testimony about Ms. Robinson's  
14 complaints about the harassment that  
15 she was experiencing, didn't you  
16 tell Ms. Robinson that she could  
17 sue?

18 A. I did. Hello?

19 Q. Yes.

20 A. Okay.

21 Q. You said, "I did," correct?

22 A. Yes. And I said in the  
23 previous testimony, this morning, I  
24 was doing that to placate her.

25 Q. Would Ms. Robinson

1 M. TASCH

2 communicate with you about ideas to  
3 save money for Canal?

4 A. Listen, over a ten-year  
5 period, I guess the answer would be  
6 yes. But the way she was spending,  
7 there was no saving money anywhere.

8 Q. Would Ms. Robinson  
9 communicate with you about ideas to  
10 save money for Mr. De Niro?

11 A. That, I don't recall.

12 Q. During Ms. Robinson's  
13 employment, did you find her to be  
14 protective of Mr. De Niro's  
15 interests?

16 A. I really can't answer that.

17 MR. DROGIN: Objection to  
18 the form.

19 THE WITNESS: Sorry.

20 MR. DROGIN: Go ahead. I  
21 just objected to the form.

22 You can answer. Go ahead.

23 A. I can't answer that  
24 question.

25 Q. Is it fair to say that Mr.

1 M. TASCH

2 De Niro is an important client of  
3 yours?

4 A. I'm not sure what that  
5 means.

6 Q. Is it fair to say -- okay.

7 Approximately how much does  
8 Berdon receive in annual fees for  
9 performing work for Canal, Mr. De  
10 Niro's, or Mr. De Niro's other  
11 entities?

12 MR. DROGIN: Objection to  
13 the form.

14 THE WITNESS: Jane?

15 MS. JACOBS: You can  
16 answer if you can.

17 A. I mean, I don't know for  
18 sure, Ms. Sloan. But it is upwards  
19 of [REDACTED]

20 Q. Approximately how much does  
21 Berdon receive in annual fees for  
22 performing work for Canal?

23 A. [REDACTED].

24 Q. [REDACTED]

25 A. Yes.

1 M. TASCH

2 Q. Mr. Tasch, that concludes  
3 my questioning for today, subject to  
4 leaving the deposition open for the  
5 reasons that I previously stated.  
6 Thank you for being here today, Mr.  
7 Tasch.

8 A. Thank you.

9 THE VIDEOGRAPHER: The  
10 time is 6:51 p.m. We are  
11 going off the record.

12 (Continued on next page  
13 to accommodate jurat.)  
14  
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1 M. TASCH

2 MR. BENNETT: Requesting  
3 a copy of the transcript.

4 MS. SLOAN: Requesting an  
5 expedite transcript.

6 MS. JACOBS: Requesting a  
7 copy of the transcript.

8

9 (Time Noted: 6:51 p.m.)

10

11 MICHAEL TASCH

12

13 Subscribed and sworn to  
14 before me this day of  
15 2022.

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18 Notary Public

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1 INSTRUCTIONS TO WITNESS

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Please read your deposition over carefully and make any necessary corrections. You should state the reason in the appropriate space on the errata sheet for any corrections that are made.

After doing so, please sign the errata sheet and date it. You are signing same subject to the changes you have noted on the errata sheet, which will be attached to your deposition.

It is imperative that you return the original errata sheet to the deposing attorney within thirty (30) days of receipt of the deposition transcript by you.

If you fail to do so, the deposition transcript may be deemed to be accurate and may be used in court.

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## I N D E X

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WITNESS	EXAMINATION BY	PAGE
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4

Michael Tasch		
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5

Ms. Sloan	5
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6

Mr. Drogin	415
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7

Ms. Sloan	443
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## EXHIBITS

11

PLAINTIFF'S	DESCRIPTION	PAGE
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12

134	Canal 3324 and Canal 3331 through 3333	182
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14

135	Canal 0051748 through 56	313
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C E R T I F I C A T E

I, PAIGE HAYDEN, hereby certify that the Examination Before Trial of MICHAEL TASCH was held before me on the 7th day of April, 2022; that said witness was duly sworn before the commencement of his testimony; that the testimony was taken stenographically by myself and then transcribed by myself; that the party was represented by counsel as appears herein;

That the within transcript is a true record of the Examination Before Trial of said witness;

That I am not connected by blood or marriage to any of the parties; that I am not interested directly or indirectly in the outcome of this matter; that I am not in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of April, 2022.

  
PAIGE HAYDEN

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ERRATA SHEET

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MICHAEL TASCH

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.  
\_\_\_\_\_  
(NOTARY PUBLIC) MY COMMISSION EXPIRES: